

*Karolina Krzystek*

## INTEGRATION OF FEMALE IMMIGRANTS INTO LABOUR MARKET AND SOCIETY. BIOGRAPHICAL POLICY EVALUATION. THE POLISH CASE

### Introduction

The aim of this paper is to reconstruct the long-term impact of policy on the processes of integration of female immigrants into society and labour market in Poland. This paper seeks to identify social processes of integration and exclusion in relation to migrant women in Poland as well as the patterns and processes which facilitate their integration. Therefore its final objective is the assessment of the impact of existing integration policy approaches on these patterns and procedures in the Polish context.

While addressing the need for the inclusion of the immigrants into the new society the main issue emerging is the question of integration. Different European and non-European states have formed and adopted various types of integration policies within the broader context of the immigration policy: the policy of cultural pluralism or the policy of assimilation, to name a few. For the purposes of this analysis we define integration as a process of becoming an acceptable part of society. Therefore, one might distinguish three analytically different dimensions of integration: a legal and political dimension; an economic dimension; and last but not least a socio-cultural dimension (Penninx 2005:5). The legal and political dimension is related to the fundamental question of whether the immigrants are or are not rightful members of the society. In the countries where the character of immigration policy makes obtaining a legal permit to settle a long, difficult and complicated process the immigrants themselves demonstrate less inclination towards integration with the new society. In those countries which have simplified the process of legalizing the stay, the newcomers integrate faster and more willingly, and they also tend to be more active in the social and political sphere (Penninx 2005: 5). The economic dimension is related to the financial and economic situation and rights of a given country's inhabitants irrespective of their citizenship. The level of integration of the immigrants

in this dimension depends on the level of equality of rights to employment, access to social and care services, as well as medical care or unemployment allowance the foreigners share with the native workforce. The third dimension of integration is related to the socio-cultural sphere. It may therefore be explained by answering the following questions in a context of a particular society: Do the immigrants have legal right to manifest their opinions or organise themselves as ethnic, religious or racial groups? Are their rights and needs acknowledged by the state? Are the foreigners socially accepted and treated as equal? How does the migration policy work to prevent social exclusion and marginalization of immigrants?

The socio-cultural sphere is, according to the experts, practically absent in the Polish migration policy of the state, despite the emphasis put by the Council of Europe on programmes increasing social cohesion, therefore focusing on supporting the weakest groups, which also include immigrants, in order to guarantee equal rights and an ability to fight against social exclusion (Grzymała-Kazłowska, Okólski 2003: 35). This is explained by the lack of tradition of immigration, the small scale of the phenomenon to date, the fact that most immigrants stay only temporarily, or treat Poland as a transit country, as well as by the accumulation of other social and economic problems (Grzymała-Kazłowska, Okólski 2003: 35).

This complex analysis of the impact of policies on the integration processes of female immigrants is based on the empirical material collected during the biographical interviews with the representatives of this group. These narrations give insight into the wide context of the phenomenon of participation and involvement of migrant women both in the socio-cultural sphere of Polish society as well as in the labour market. This study also seeks to explore the integration strategies, plans and needs of women. In order to investigate the issue of long term impact of policies on the integration processes of female immigrants, the biographical policy evaluation method was applied. "Our aim was to reconstruct the experiences of women migrants through the narrative biographical interviews. (...) In reconstructing how individuals have been exposed to and have dealt with social, economic, political and legal conditions in different life situations, we may understand the impact of these dimensions especially how they interact and intersect with one another" (Inowlocki 2006: 2).

The outcomes of this study are presented in five chapters. The first chapter is devoted to the methodological issues concerning the research, explains the biographical policy evaluation approach; sampling and interviewing strategies and the ethical considerations applied in the study. The second chapter concentrates on the situation of female immigrants in Poland on both the structural and individual level – and provides detailed characteristics of the study sample, from the political, socio-demographic and economic perspectives. In this chapter also the living conditions of female immigrants in Poland, their legal situation and the phenomenon of the femini-

zation of migration are being discussed. The third chapter focuses on the migratory patterns of women, analysed through the dynamics of push – pull factors, the short- and long-term impact of emigration experiences on the biographies of women. Significant attention is also given to the issues connected with both the labour market and transnational mobility such as the processes of brain waste and deskilling, social security and immigrants' access to medical care and at the end to the self-evaluation of the migration projects and future plans of women. The fourth chapter is fully devoted to the outcomes of the analysis of the empirical material collected during the biographical interviews. The integration strategies of female immigrants are presented across the most relevant individual cases. Six major strategies were identified in the narrations and are presented in the following order: 1) basic economic integration – the case of unregistered, circulatory labour immigrants (domestic and care workers and sex industry workers); 2) legal integration characterising the long-term non-settlement labour immigrants; 3) integration through the public sector of the labour market (settlement immigrants); 4) integration through obtaining the long term residence permit by marrying a Polish citizen; 5) self-employment as integration strategy; 6) integration through proving Polish roots. In the last, sixth chapter the results of the analysis of the impact of policies on the integration processes and migratory patterns of female immigrants are gathered and summarised in six dimensions according to the relevant policy field: 1) policies for integration into formal and informal sectors of the labour market, including the domestic and care sector; 2) policies for skill enhancement and skill recognition; 3) policies for stabilizing residence rights, including issues of legalization; 4) policies combating trafficking and improving integration of the victims of trafficking; 5) policies for improving the situation of sex industry workers; 6) policies for improving civic participation.

## 1. Methodology

### *Biographical policy evaluation*

By adopting the biographical research method using the narrative interviews we sought to examine the long-term impact of the policies on the life stories of female immigrants (Inowlocki 2006: 4). Analysing not only the given facts, but also the structure of the narration leads to uncovering what is meaningful in the life experiences although concealed in the narratives. The narrative biographical interview is expected to give insight into the experience of the entire groups and social categories and enables the analysis of the impact the macrostructural factors and conditions have on individuals and groups. "This biographical policy evaluation approach derives from the 'theoretical sensitivity' approach and the grounded theory methodology of qualitative data collection and analysis by Anselm Strauss and Barney Glaser.

Fritz Schutze developed the analysis of biographical narrative interviews as a specification of grounded theory” (Inowlocki 2006: 5).

Therefore in order to describe and explain the processes of social and cultural integration or exclusion this research tool was adopted which would provide us with a real insight in the experiences of women migrants. With the use of biographical policy evaluation technique it was also possible to uncover the latent meanings in the life courses of our informants which may be significant in understanding the life strategies they use in the present. Analysing the biographies of individuals we are able to capture the way in which social actors act when faced with compound structural conditions in which they live – the legal system, economy – and construct strategies against exclusion and towards social integration (Inowlocki 2006).

The biographical interview consists of three main parts: first part, main narration – life story told by the informant is initiated by the opening question in which the study interests are explained, during this first part, the researcher’s role is limited to attentive listening, informants should not be interrupted until the main narration is over; in the second part – after the interview partner has finished telling their life story – the questions concerning clarification of the issues, facts and opinions which were raised in the main narration are asked; in the last, third part, the interviewer questions the informant about the problems which didn’t come up in the narration but are important from the point of view of the study. When the interview is over the detailed memory protocol of the meeting has to be prepared (Inowlocki 2006).

Also important are the interpretative challenges of doing an analysis of a life story interview. The ultimate aim of the narrative investigation of human life is the interpretation of the experience, which is a complex matter because both *interpretation* and *experience* are relative terms. Subjectivity simply must be in the centre of the process of storytelling. Categories of analysis will emerge from the review of each life story (Atkinson 1998: 7).

### *Sampling*

The research focus was upon the ‘new’ female immigrants in Poland, understood as these women migrants who came to the country after the year 1989 which marks the beginning of the country’s systemic transition. In this year Poland opened its borders, started receiving migrants and several years later, also first asylum seekers. Even though it has not yet become a destination country for mass immigration, the estimated number of foreigners living and working in Poland both on the long term and temporary basis varies from 400 000 to 1.5 million people depending on the source, according to EUROSTAT estimates, in the year 2004 foreigners in Poland comprised for 2,5% of entire population, which amounts to 1 million people (Key Figures on Europe 2006).

In order to guarantee the relevance of the study, a careful theoretical sampling procedure was carried out including a variety of possible cases into the research. Willing to achieve the high level of diversity within the sample we planned to access numerous different categories of immigrants – labour migrants, marriage migrants, asylum seekers, victims of trafficking of human beings, both documented and undocumented immigrants, foreign sex industry workers – next to the representatives of all national and ethnic migratory groups of significant number in Poland. Sampling process was based on four major criteria: type of migration; gender; presence on the Polish labour market; possession of non-EU citizenship. In other words, selected to the sample were only these women migrants who had been active on the Polish labour market, either formal or informal, throughout their stay in Poland and who emigrated to the country from outside the European Union – the so called ‘third country nationals’.

In practice, accessing informants from several groups has proven to be very difficult or even impossible. Immigrants’ associations or organizations are scarce in Poland and the major ethnic groups are not self-represented. The existing ones, such as the Association of Vietnamese in Poland are not active in the public arena, don’t have regular offices and exist mostly in the symbolic space (vide Slany, Krzystek, Małek 2006). Also Ukrainians, the most largely represented foreign group in Poland, haven’t established a meaningful organization. In general, finding informants for the biographic interviews wasn’t easy, Vietnamese women didn’t agree to talk to us. Many women whom we contacted were afraid to share their stories, especially since the largest group amongst the female immigrants in Poland consists of the undocumented domestic and care sector workers who work without the legal permit. Therefore, the informal network of contacts has proven to be very useful combined with distributing the information about the study through the notice boards in places the immigrant often visit and feel safe in (e.g. Eastern-Orthodox church in Warsaw). For the purposes of the research also the snowball sampling technique was used, which demonstrated to be very effective in contacting the hidden populations like undocumented immigrants who are usually difficult to access ‘from the outside’.

In order to explore in an adequate way the issue under research – the processes of female immigrants’ integration into the labour market and the society – it was essential that all informants included in the sample were at some point of their stay in Poland working outside the house in either the formal or informal sector of the national labour market.

### *On interviewing*

The researchers gathered twenty life stories from immigrant women representing different countries of origin, various cultures, religions and living in different social

and economic situations. The histories were collected with the help of biographical narrative interview technique of policy evaluation. The interviews, though non-standardised, were topically focused on the migratory experiences and integration processes of Polish female immigrants. It is important to stress, that this topical focus doesn't aim to grasp the fullness of a person's life but seeks to confront a particular issue.

During the theoretical sampling procedure the issue of language barriers between the researcher and the informants was raised. On one hand, achieving the high level of diversity within the sample was the necessary prerequisite to get the real insight in the research problem. On the other, this diversity among the transnational migrants meant that the interview partners would speak several different languages not known to the researcher. More importantly, our goal was to acquire also those informants who didn't speak Polish well enough to communicate. As researchers, we were also aware of the fact, that even if the female immigrant were fluent in Polish, conducting the interview with her in the language which was not her mother tongue could strongly interfere with the interview situation and the content of the narration. In one case a professional interpreter was hired to translate the interview with a refugee from Chechnya. In the rest of the cases the conversations were held in languages common to both interview partners (Polish, Russian, English, Ukrainian). All but two interviews were taped and then transcribed, and those which weren't, due to lack of the informant's consent, were written down and immediately after the conversation transformed into the transcripts of the narratives. The length of one interview varied from one and a half to three hours.

The interview partners were always offered the possibility to chose the place of the interview, in most cases however it was the researcher who proposed the 'neutral' environment for the meeting. The meetings took place in two biggest Polish cities – Krakow and Warsaw. Several women asked the researcher to visit them in their homes, in most cases however the interviews were conducted in the public spaces like churches or cafés. Several interviews were held in the respondents' workplaces, usually after the end of the shift or during the office hours, which in several cases caused problems because some of the informants didn't feel comfortable knowing that someone could overhear what they say and their narrations were often interrupted.

### *Ethical issues related to the research*

Another important issue in the course of conducting the biographical interviews was assuring the anonymity of the informants and preventing their identification by adopting the strategies of disguising and withholding their personal characteristics. In order to guarantee the anonymity of the interview partners' case numbers were assigned to each person and pseudonyms were introduced instead of real names. Additionally, all personal identifiers (such as last name, address, telephone number)

were removed while constructing the data sets. Although the direct identifiers were withheld, some indirect identifiers such as state of residence, country of origin and occupation (never the name of the workplace) were used. Protecting participants' anonymity is particularly important when dealing with vulnerable groups such as sex industry workers and undocumented immigrants. In the cases of sex industry workers included in the research, women were worried about preserving their anonymity for several reasons, among which were the nondisclosure of their occupation in Poland to family and friends in the sending countries as well as the specific hazards connected with this occupation. Also guaranteeing the anonymity was essential to the process of building the trust between the interview partners. In several cases, especially when the informants were contacted through the snowball sampling the researcher didn't know any details (i.e. legal status in Poland, occupation, even nationality) about the interviewee prior to the interview.

Table below (Table 1.1) presents the most important characteristics of the informants from the study's sample in order to enable better understanding and orientation.

Table 1.1

Name	Country of origin/ nationality (if different)	Level of education	Current occupation in Poland	Labour Market Sector	Legal status in Poland
<b>Viola</b>	Ukraine/ Russian	University degree	Sex worker	Informal/ unregistered	Informal/ tourist visa
<b>Masza</b>	Ukraine	Secondary education	Sex worker	Informal/ unregistered	Informal/ tourist visa
<b>Aida</b>	Armenia	University degree, PhD	Academic teacher	Formal/ public education	Settlement permit
<b>Fatima</b>	Chechnya (Russia)	Secondary education	Secondary school teacher and nurse	Formal/ public education	Settlement permit (refugee)
<b>Swieta</b>	Ukraine	University degree	Live-out domestic worker, cleaner and babysitter	Informal domestic and care sector	Undocumented/ tourist visa

<b>Olga</b>	Ukraine	Secondary education	Cook	Lowest rank position in gastronomy sector/formal	Residence permit for a specified period of time
<b>Maryna</b>	Kazakhstan/ Russian	University degree	Office clerk	Formal/ private industry	Settlement permit
<b>Anahid</b>	Armenia	Secondary education	Petty trader, self-employed	Formal – small trade	Residence permit for a specified period of time
<b>Anna</b>	Zambia	Student	English language private tutor	Informal, unregistered work	Residence permit for a specified period of time/ student
<b>Irmira</b>	Ukraine	Student	Restaurant worker	Gastronomy, employed half- legally	Settlement permit (Polish roots), came as a student
<b>Zamira</b>	Chechenya (Russia)	Primary education	Domestic worker – cleaning	Informal domestic and care sector – during the integration program	Refugee status
<b>Katia</b>	Belarus	Student	Unemployed	Informal labour market	Residence permit for a specified period of time
<b>Lena</b>	Belarus	College degree	Horse riding coach	Agriculture, sport/ formal	Residence permit for a specified period of time
<b>Nina</b>	Russia/ Far East	University education	Russian language teacher, self-employed	Formal	Settlement permit (had been married to a Pole)
<b>Wiera</b>	Ukraine	Secondary education	Domestic and care worker, live-in, seamstress	Informal domestic and care sector, agriculture, sweatshop	Undocumented/ visa overstayer
<b>Luba</b>	Ukraine	College degree	Domestic and care worker, live-in	Informal domestic and care sector	Residence permit for a specified period of time



<b>Halyna</b>	Ukraine	College degree	Cleaner, domestic worker, live-out	Informal domestic and care sector	Residence permit for a specified period of time
<b>Oksana</b>	Ukraine/ Russian	University degree	Babysitter and domestic worker, live-in	Domestic and care sector, registered employment	Residence permit for a specified period of time
<b>Nadia</b>	Ukraine	Secondary education	Carer for an elderly person	Informal domestic and care sector	Informal/ Tourist visa
<b>Zina</b>	Georgia	College degree	Russian language teacher	Public education/ formal	Settlement permit (refugee status)
<b>Urska</b>	Serbia/ Yugoslavian	University education	Serbian language teacher	Higher public education/ formal	Doesn't know (probably hasn't formalized her stay),

## 2. Analysis of the situation of female immigrants in Poland on the structural and individual level

Women emigrate for numerous reasons. The times when women took part in the mobility processes as dependants, due to family reunification after the mass labour migrations of men within the guest workers system in Europe, have been over for a long time (Morokvasic 1984). In fact, scholars have challenged this view by acknowledging, that migratory processes of women since the end of the second world war in Europe were very diversified (Kofman 1994, Morokvasic 1984). Poland did not open its borders for immigrants until 1989 therefore it never took part in the mass migration flows of the after-war period as a receiving country, however, for long it has been a sending country. Today, it is slowly becoming also a place of destination for the migrants. Nonetheless, for the majority of people engaged in the spatial mobility, it merely remains a transit country lying on the way to Western Europe, treated as the gateway into the EU. Slany, Ślusarczyk and Krzystek (2007) identify seven factors which characterize the immigration flows to Poland: the existence of the “old” immigrant groups which arrived before and after the second world war (i.e. Armenian and Vietnamese Diasporas); recent influx of refugees; the perception of Poland as a transit country – a route to the ‘old’ European Union countries; outflow of national labour force and the necessity to replace it in certain branches of the national economy;

appeal with respect to remuneration for people from developing countries (e.g. Ukraine, Russian Federation, Belarus, Vietnam, China); settling in Poland of repatriates and return emigrants with dual citizenship; marriage migrations. These issues were also clearly visible in the narratives of female immigrants we have collected.

### *Political and socio-demographic situation of female immigrants*

As already mentioned above, the selection of the study informants was based on four major criteria: type of migration, gender, presence on the Polish labour market, non-EU citizenship. Simultaneously, our goal was to acquire many varying cases among the group of third country nationals female immigrants working and living in Poland. Altogether 20 biographical narrative interviews were conducted with the representatives of 9 nationalities, citizens of 8 countries. The largest representation – 9 cases in the sample was of Ukrainian citizens, the most numerous immigrant group in Poland. Also included were the representatives of Armenian, Russian Federation, Belarus, Chechnya, Kazakhstan, Zambia, Georgia and Serbia. In the following tables all informants are presented according to the country of origin (Table 1.2) and nationality (Table 1.3).

Table 1.2

Country of origin	Ukraine	Armenia	Chechnya (Russian Federation)	Georgia	Russia	Belarus	Zambia	Serbia	Kazakhstan
Number of cases	9	2	2	1	1	2	1	1	1

Table 1.3

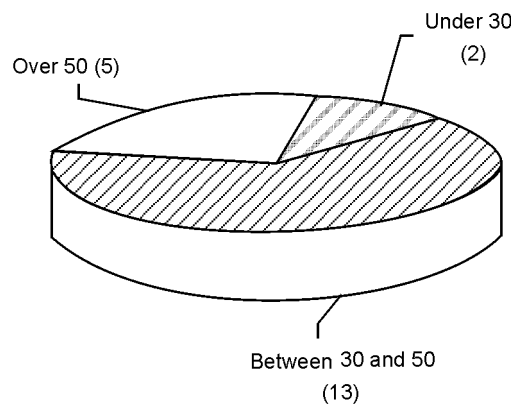
Nationality	Ukrainian	Armenian	Chechen	Georgian	Russian	Belarusian	Zambian	Serbian
Number of cases	7	2	2	1	4	2	1	1

The questions of country of origin and nationality are addressed separately because for several informants from our sample identification with a certain nationality, different from the one of the majority of the given country's citizens was the major reason underlying emigration, both forced (i.e. refugees from Chechnya) and labour (i.e. Russian population in Ukraine). We elaborate more on this issue in subsequent chapters.

Socio-demographic profiles of our informants, namely their age, marital status, family situation, level of education have proven to be very interesting factors in de-

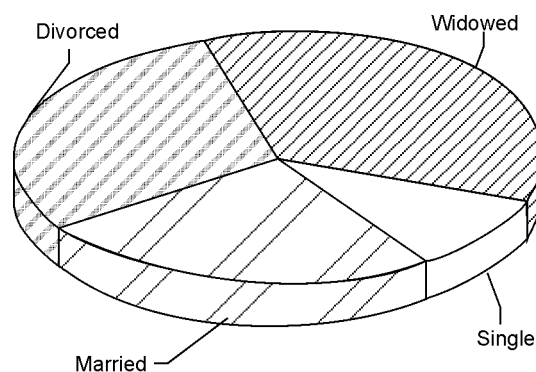
scribing the phenomenon of immigration flows of women to Poland. Due to the qualitative character of the research the sample isn't representative to the entire population of female immigrants in Poland, nevertheless a clear migratory pattern could certainly be drawn from the data collected during the biographical interviews. Similarly to the profiles emerging from the statistics concerning the migration flows of women to EU countries, most of our informants are middle-aged (in their late thirties, forties and early fifties), single mothers (usually divorced or widowed), with secondary and higher education. Only two informants were childless, the rest were mothers and, in most of the cases, the primary breadwinners of their families. The images below show the distribution of these socio-demographic features among the informants.

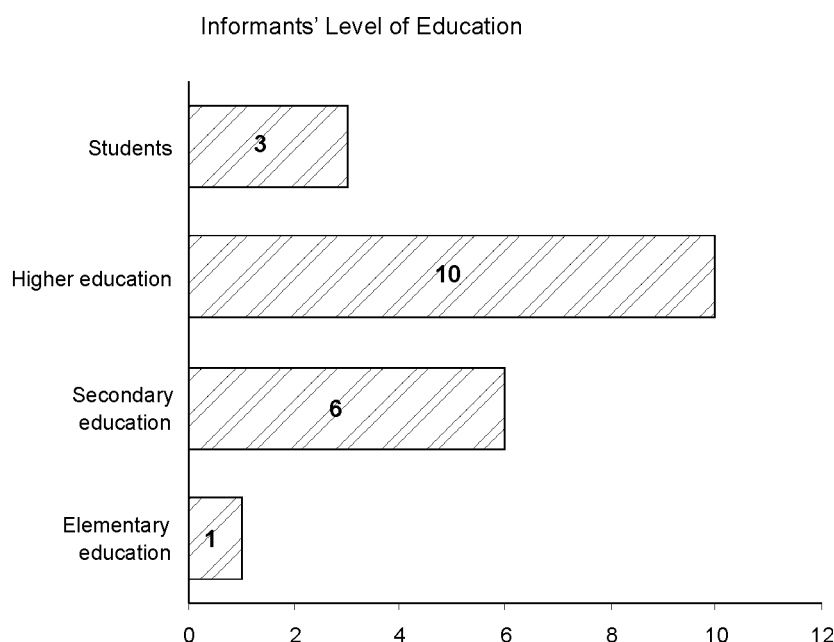
Informants' Age



Informants' Civil Status

Informants' Civil Status



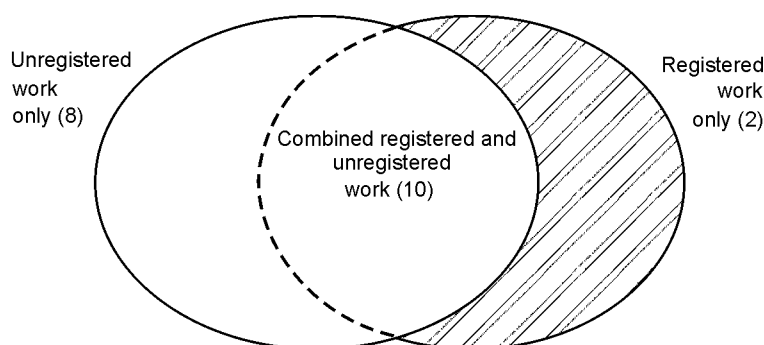


### 2.1. Economic characteristics of the sample

Among the economic characteristics of the informants, the widely understood relations of immigrant women on the Polish labour market has been the most important factor from the point of view of the study. At the early stage of designing this research we realized that trying to classify the migrant women according to their links to and relationship with the labour market on the basis of such dichotomies as legal – illegal work (or, in more politically correct terms – registered and unregistered work), formal – informal sector of the labour market, employment – unemployment, full time – part-time working arrangements could only blur the image. Especially in the case of female immigrants these categories overlap each other to a great extent and the boundaries between them are so unclear that they have proven almost unusable as classifiers. Only some of the informants from our sample, throughout the history of their migration(s) to Poland, have solely worked in the so called ‘informal sector of the labour market’ or, in other words they have never been employed on the registered basis. This was the case for eight of our informants. Two of them – Masha and Viola – sex workers from Ukraine and seasonal immigrants had previously worked in the agriculture sector as fruit pickers. Their work has never been registered, as seasonal migrants they also tried to limit the costs of their stay in Poland in order to save enough money during the holiday season to survive a year in Ukraine, which has remained the “centre of their life’s interests”. As far as Masha’s and Viola’s current

work in concerned, Polish law doesn't recognize prostitution as occupation thus disabling the registration of work as a sex worker, both for Polish citizens and immigrants. The other six women are also Ukrainians, all working in the domestic and care sector. Wiera, who has been living in Poland unceasingly for almost two years is a visa overstayer, she planned to register her employment after coming to Poland, but eventually, after she became an undocumented immigrant she lost the legal chance to do so. Nadia and Swieta are rotation migrants, whose life is concentrated in Ukraine and where their children and relatives live. Similarly to the aforementioned sex workers – Masha and Viola – they focus on maximizing the benefits and minimizing the costs of emigration.

The most common practice among female immigrants in Poland is combining several types of employment and kinds of work. Accordingly in our sample, most women, also those who succeeded in registering their employment at some point of their stay and work in Poland have been working additionally on a part time basis in the informal sector of the economy. The images below illustrate the distribution of registered and unregistered employment among the informants:



Taking into account the statistical data concerning the location of female immigrants in different occupations on the Polish labour market, we attempted to include in the study the representatives of all professions in which migrant women are largely represented. Again we faced the problem of overlapping categories, as most women performed more than one, usually several kinds of jobs during their stay in Poland. The majority of our interview partners were somehow connected to the domestic and care sector of economy working as: personal care assistants, nannies, cleaners and housekeepers. Those, who were not full-time domestic sector workers, at some point of their stay in Poland performed additional work in this field. Several women occupied positions in agriculture (usually as fruit pickers) and in manufacturing at the lowest rank positions. In the forthcoming chapters we elaborate more on the subject of professional deskilling of female immigrants. The link between their

level of education and occupation in Poland is very weak if not nonexistent and not only do the migrant women work below their education, but also they rarely use already possessed skills to look for a job in Poland. Several women over the years of living in Poland have found employment in the public sphere of economy, mostly in public schools as Russian language teachers (those coming from the former USSR). Furthermore, among the informants there also are: a petty trader, an academic teacher, two sex workers, two gastronomy workers, one horseback riding instructor and an office clerk<sup>1</sup>.

*Balancing the costs and gains of migration – between the live-in and live-out housing arrangements*

The working and living conditions of female immigrants vary within this group and again a certain pattern could be drawn depending on the type of migration and the home country of the immigrant. Generally speaking both living and working conditions of third country nationals are worse than average working and housing arrangement of Polish citizens. Most immigrants concentrate in big cities or in their close proximity, and it has to be stressed that none of our informants complained about their dwellings, what is more, many emphasized advantages of the practical side of living in Poland like running water and central heating. Nonetheless, there is a significant gap between life and working conditions of immigrant workforce in the urban and rural areas. The latter are employed mostly as agriculture workers at the farms where the level of exploitation as well as housing conditions are very severe. Many female immigrants in Poland work as agriculture workers when they come to Poland for the first time, and later, with basic language skills and information about the labour market they look for better paid and less exploitive occupations; most women become domestic and care workers, two informants in this study after working as fruit pickers were recruited to the sex industry.

In general, housing arrangements depend mostly on the type of migration and occupation of a given female immigrant and several tendencies could be identified in the narratives. Women who came to Poland independently as a labour immigrants, and work in the domestic and care sector usually live together with the family for which they work and the costs of their accommodation are subtracted from their already very small salaries. A smaller group of informal workers, usually those who have been able to legalize their stay chose the live-out arrangements and share rent of flats with other immigrants. Several informants complained about the difficulties with finding a place to rent in Krakow and Warsaw, where rents are very high and fear and prejudice exist against letting apartments to Ukrainians. Despite the fact that the immigrants who decide to live independently have to cover the often high

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<sup>1</sup> These are the respondents' 'major' full-time occupations often supplemented by additional, usually informal jobs.

costs of accommodation, their remuneration is significantly higher than those of the live-in workers and they can combine their full-time jobs with additional part-time employment during the weekends. They also experienced less abuse and exploitation at workplace.

The situation is more difficult for women who migrate to Poland with attempt to settle there. Whether these are the asylum seekers or the long-term labour immigrants who arrived with their families finding a decent and affordable place to live exceeds their capability. Recognized refugees for the period of one year receive financial support from the state budget and could apply for subsidised housing at the local municipalities, however for most of them twelve months isn't enough to 'stand on their own feet' and become financially independent. Due to the language barriers and lack of skills for which there is a demand in the labour market (this is the case especially for Muslim women from Chechnya who haven't worked professionally in their home country and suddenly became the primary breadwinners of the entire families) their integration with the labour market is very slow. For those asylum seekers who haven't been granted the refugee status and received the subsidiary protection the housing situation is often dramatic and many have to rely on help of private people connected with the organizations like Polish Red Cross and Polish Humanitarian Action.

Long-term labour immigrants who succeeded in legalizing their stay usually after having lived in Poland for a significant period of time, realize that their savings aren't enough to purchase real estate property and they are not attractive mortgage candidates. Therefore, our informants who have been renting flats for many years expressed fear and a feeling of insecurity about their future in Poland. For most female immigrants the symbol of a 'home', a place of one's own was crucial to their feeling of belonging and security in a given country, and since the majority of female immigrants and almost all of those working informally realize that they will never be able to afford such a place in Poland and as a consequence they don't consider settling in the country.

### *Legal situation of female immigrants in Poland*

When talking about the legal status of immigrants in Poland, especially of the "Third country nationals" one has to bear in mind that the simplistic dichotomy of "legality" and "illegality" doesn't capture the complexity of the different legal situations in which the immigrants find themselves. Polish legislature concerning foreigners specifies several different types of residence permits and various ways of legalizing the stay and work both on the temporary and long-term basis for foreigners and third country nationals in Poland (for more details see Slany, Krzystek et al. 2006).

Within this study's sample we dealt with numerous different combinations of visas, residence permits and work registration possessed by the interviewees. Only

one informant could be referred to as ‘undocumented’, a labour migrant from Ukraine who came to Poland on the basis of the tourist visa issued for 2 months and never left the country becoming a visa overstayer. Several other women, in the course of their stay in Poland have been either undocumented for longer periods of time – a case of an Armenian labour immigrant who has been residing and working in Poland without any legal permits but was able, after 7 years, to legalize her stay and work due to the abolition act of 2003, or two asylum seekers who have waited over five years to obtain the refugee status, during this time, legally speaking their stay wasn’t illegal because the application procedures were pending, but they didn’t have work permits (see Slany, Krzystek et al. 2006). Other cases illustrate that the strategy of obtaining a residence permit by acquiring a promise or extension of promise for issuance of a job permit with employment not being later registered by the employer is very common and widespread especially among Ukrainian domestic and care workers. Table 1.4 below illustrates the distribution of different legal statuses among informants in the sample<sup>2</sup>.

Table 1.4

Type of legal specification of the stay in Poland	Settlement permit	Residence permit for a specified period of time	Refugee status	Non-legalised stay/tourist visa	Non-legalised stay – visa overstayer
	7	8	3	4	1

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Summing up, none of the informants has become naturalized in Poland by acquiring Polish citizenship even though several women meet the requirements. Six women have settlement permits<sup>3</sup>. Two – Fatima from Chechnya and Zina from Georgia, on the basis of continuous stay for 5 years in connection with acquiring a refugee status; other 2 informants Nina from Russian Federation and Maryna from Kazakhstan has been married to Polish citizens for at least 3 years prior to lodging the application; one person, Irmina from Ukraine obtained the settlement permit after proving that she has Polish ancestors; and Aida, an academic teacher from Armenia succeeded in legalizing her stay before Poland’s accession to European Union on the basis of residing in the country with a residence permit for a specified period of time continuously for 5 years. Eight informants have obtained the residence permit for a specified period of time with the permission to work on the territory of Poland. Those permits were assigned to them on different legal grounds, for

<sup>2</sup> Figures don’t add to 20 because the refugees, after residing in Poland for, obtained settlement permits.

<sup>3</sup> For a more detailed account of different forms of legalization of stay of the foreigners at the territory of Poland see Slany, Krzystek et al. (2006a) *Mapping of the policies and policy analysis. The Polish case*, FeMiPol Working Paper Report.



instance three immigrants from Ukraine – Halyna, Luba and Oksana and one from Belarus obtained it on the basis of a promise or extension of promise for issuance of a job permit; Anahid from Armenia due to the Legal Abolition Act for undocumented immigrants in 2003<sup>4</sup>; Anna from Zambia and Katia from Belarus on the grounds of continuation of studies in Poland and Olga from Ukraine has acquired the permit after marrying a Polish citizen. Next year she plans to apply for the settlement permit.

Five women came to Poland as tourists, and they haven't legalized their stay, four – Masha, Viola, Swietlana and Nadia (all Ukrainians) are typical circulatory migrants. The geographical proximity of the country and – until the enlargement of Schengen – relatively uncomplicated procedures of obtaining the tourist visa to Poland allow them to come to the country and work in the informal sector of the economy once or twice a year for 2–3 months. The situation is different in the case of Wiera – a visa overstayer, who came to Poland on the grounds of a tourist visa issued for 3 months and didn't leave the country.

Three informants – Fatima and Zamira from Chechnya and Zina from Abkhazia are asylum seekers who were granted refugee status in the Republic of Poland. Both Fatima and Zina waited for their status to be granted for longer periods of time and both have obtained it in the second instance after appealing against the decision on refusal of granting the refugee status in the first instance. Now both women have the settlement permits of stay in Poland. Zamira has obtained the refugee status several months ago and is still covered by the integration programme.

### *Feminisation of the breadwinner role and relative deprivation as major push factors*

With reference to the reasons underlying the women's decisions to emigrate from their own country four predominant push factors were identified in the narratives. First and the most common reason is the feminisation of the breadwinner role in the developing countries – it especially refers to single mothers who receive no financial support from the father of the children therefore being the sole provider for the family – such women are more likely to become labour migrants than their counterparts who receive financial support. For them emigration can be defined as performing the duties of responsible motherhood. Single mothers are usually circulatory or rotation immigrants, and by working in Poland for several months a year while leaving children under the supervision of their female relatives (usually mothers) are able to reconcile work and family responsibilities.

The second factor may be referred to as the 'relative deprivation'; in countries which recently went through a rough systemic transformation, like Ukraine, well educated women from small towns were the biggest 'losers' of these changes. Most of

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<sup>4</sup> For details concerning the Act of Abolition of 2003 see chapter 5.3.

them had posts in the state-owned large enterprises which they lost after abrupt privatisation and being the first generation with the university degrees in their families they didn't have the social capital and social networks which they could use to re-enter the changing labour market. Therefore, these women with high professional skills and still high social prestige deriving from their education are faced with the choice of facing downward occupational mobility in their home countries and working below their skills for very small remuneration or emigrating to Poland where for the same work they earn enough to support their family in Ukraine and pay for their children's education.

The third identified factor determining the reasons underlying emigration refers to the asylum seekers and is a dangerous situation in the home country or a war. Nevertheless, female refugees in this study strongly emphasized the fact, that had they had a man, a husband, father or a brother to take care of them, they wouldn't have left their countries. Therefore the vulnerability of single women in the conflict and hazard of or experiencing also gender-related persecution have proven to have strong pro-emigration impact.

Emigration as a quest for a better life, a very important push factor for millions of labour migrants across the world was also identified among the reasons underlying the decision to emigrate, it wasn't however as common as the feminisation of the breadwinner role or relative deprivation. It was characteristic for female immigrants from Armenia or the far east of the Russian Federation who arrived to Poland with their husbands and children planning to settle in the country. These women fall into the category of complete, long-term emigration with the desire to integrate with the society.

The push factors described above are flexible and inclusive categories rather than exclusive and closed ones and numerous different reasons and conditions influence a decision as complex and serious as emigration. Nevertheless, in order to summarize the outcome of the study we have decided to construct this typology in order to provide better understanding of the processes as compound as female migrations.

### 3. Migratory patterns of female immigrants

#### *Migratory networks and low initial costs as major pull factors*

Several pull factors for female migrants underlying the decision to chose Poland as a destination country were distinguished in the study. These factors differed strongly across different nationalities. For Ukrainians, the most numerous immigrant group in Poland and also the group with the highest proportion of women, the most common reason for choosing Poland were low costs of emigration to this country deriving from the geographical proximity, relatively easy access to tourist visas and a short

waiting period for their issuance. Also due to the language and cultural similarities between Polish and Ukrainian, well developed transportation, both formal and informal between the countries, Poland has become a popular destination mostly for female circulatory or rotation immigrants who come to work in the informal domestic and care sector of the Polish economy. Our informants explained that even though Poland, in terms of remuneration for people from developing countries wasn't as attractive a destination country as Italy or Germany, also very popular among Ukrainian migrants, it is still considered a safe one and returning home in case of an emergency is easier. Women also stressed the importance of being able to communicate in Poland without ever learning the language. For most of our informants from Ukraine, working in Poland as circulatory or rotation immigrants was the strategy of reconciliation of work and family life – as said in the preceding chapter almost all these women are single mothers who have long remained unemployed or have jobs in Ukraine that don't generate enough income to support the entire family. These women realize that emigrating to a foreign country with their children would be difficult, instead they chose to leave their children under the supervision of usually female relatives in their home country and come to work in Poland for several months a year sending all remittances back home. Also very important was the existence of the migratory networks, for Ukrainian women, who migrate independently, personal safety is very important. Our informants described to us the planning strategy prior to first emigration – before any decisions are made women turn to people in their local communities who had worked in Poland for help in finding employment and accommodation there. In Ukraine there also operates an institution of informal migratory 'intermediaries'. In small towns close to the Polish border, workers are recruited especially to seasonal jobs in the agriculture but also to the rotation work in the care sector. One of our informants, a live-in personal care assistant of an elderly person is a part of a rotation migratory network of nurses employed in a large hospital in the west of Ukraine. About a dozen of women working in the same hospital take turns in caring for two elderly patients in Poland, each for three months every year. For the period of their work in Poland nurses have to bribe their supervisor to be able to take the leave of absence, the amount of the bribe is stable and amounts to up to 20 US dollars.

The case is different for the citizens of Belarus where emigration policies aren't as liberal as those of Ukraine. Both of our Belarusian informants – Lena and Katia, live in Poland on the basis of residence permits for specified periods of time, Lena obtained it on the grounds of her employment as a sports instructor and Katia stabilized her stay by registering as a student in a private college in Poland, even though she emigrated to Poland because she had been in a relationship with a Polish citizen.

The reasons for choosing Poland as a destination country by the asylum seekers can be described as coincidental. The overwhelming majority arrived in Poland from Chechnya, several years ago Poland received a large group of Georgian and Russian

citizens fleeing a conflict in Abkhazia. Those who decide to flee to one of the European countries from those conflicts chose Poland usually as a last resort chance to enter the European Union, these are people who lost all of their property and cannot afford a direct airplane ticket to one of the so called 'all fifteen' EU countries. They buy a train ticket to Brześć, a boarder town between Poland and Belarus, to reach which they don't need visas as Russian Federation citizens, and ask for asylum in Poland. In fact however, most of those who apply for the refugee status in the country treat Poland as a transit country on their journey further west, where refugee diasporas have been well established. According to our informants – refugees from Chechnya and Abkhazia most of these people feel "trapped and severely disappointed" when they learn that after applying for asylum in Poland they in fact cannot leave the country until they are granted the status, which in many cases takes up to several years and furthermore most applications (around 90%) end with a refusal both in the first and second instance. More applicants receive the subsidiary protection, a permission for a 'tolerated stay', which isn't recognized internationally therefore the asylum seeker cannot leave Poland and isn't covered by the state's financial support from the integration programs for the refugees. These are the most significant reasons for Poland's notoriousness as a least desirable destination country for asylum seekers. Another reason for the refugees to feel disappointed is the lack of well established ethnic networks of refugees. It is a problem especially for women from traditional societies, for whom an important reason to flee their home country was losing a husband or a male relative to protect them. They planned to ask for asylum in the countries where their extended family members resided. Many female refugees complain about loneliness and insecurity of their future, if they are single mothers whose children experienced psychological traumas, the pressure of supporting the family and dealing with all problems falls completely on them. Psychological help received at the reception centres for the asylum seekers and during the integration period is described as 'scarce'.

For Armenian immigrants, with a large ethnic Diaspora in Poland dating back to the beginning of the 20<sup>th</sup> century the reasons underlying choosing Poland as a country of emigration have been different than for the Ukrainians or Chechen refugees. Also their migratory patterns vary from those of the aforementioned groups. As women from Ukraine and the refugees usually emigrate independently or with their children which is strongly connected with the feminisation of the breadwinner role in those societies (though deriving from different circumstances), Armenians women come to Poland with their spouses and children rather than alone. For most of the immigrants who arrived after 1989 the migratory networks of Armenians existing both in the sending and receiving country were of the most importance as the factors determining their emigration choices. Armenian Diaspora is very well established in Poland, it has well developed organizational structures and their members are rela-

tively well integrated in the Polish labour market. There is however a division within the immigrants living in Poland, between the well-educated 'elites' and physical workers who come from the rural areas. The last group has the biggest problems with policy measures, stabilizing their stay and educating children, however according to one of our Armenian informants, they are being looked down at by their better established well-educated fellow nationals.

For many women also marrying a Polish citizen is a pull factor to emigrate to Poland. Several of our informants came to Poland as wives to Poles and on these grounds the procedure of obtaining the residence and working permit are relatively uncomplicated. Nevertheless, our study has proven that it was very difficult for this women to find employment corresponding with their skills and level of education, furthermore, for many women it took years to enter the formal labour market and those who did complain about the glass ceiling even thicker than for Polish women.

### *Short- and long-term impact of emigration experience on the biographies of female immigrants*

Even though female immigrants in Poland form a very diverse group of many different nationalities, ethnicities, religions, social and cultural capital and most of all different migratory patterns and living conditions in Poland they have one important factor in common – their gender. Our focus in this research is placed on the 'non-privileged' female immigrants, therefore women coming from developing countries where gender relations and stratification remain very traditional. Despite the fact, that independent migration of women shows a certain level of emancipation, it is important to examine and understand the circumstances of the decision to emigrate. It is not a coincidence, that the majority of female labour immigrants in Poland are single mothers. Women explained that if it wasn't for their children they wouldn't have emigrated from their countries and they perceive their current situation as an ultimate sacrifice for their families. This was how women justified their reasons to emigrate:

"The school [her daughters' college tuition – KK] was so expensive it was impossible to pay for it while working in Ukraine. So when she was to begin her second year I decided to come to Poland. I thought that I could work here and all the money I make I can put in that tuition and my daughter's living. So I did it, I came and began to work only it was really hard to find a job. I lived with my daughter and she found my first job through the internet. A live-in full time domestic help" (Wiera, informal domestic worker from Ukraine).

Most women who emigrated independently and voluntarily (not as refugees) emphasize that for them emigration is a way of improving their children's lives by giving them good education. It is not the survival strategy for the poorest women with no resources – those who come to Poland as foreign workforce possess the resources necessary to fulfil all the legal procedures, purchase a bus ticket or organize informal

transportation and most importantly to find a job in Poland. Female immigrants rarely come without employment waiting for them in the destination country. For every women, and for those who have children especially everything must be carefully organized. Those mothers who don't bring their children along, leave them under the supervision of their female relatives. They are also very careful to not exceed the time of stay for which their visas were issued. It is important to note that there was only one visa overstayer among the informants in this study's sample.

Family and more importantly motherhood seems to be one of the most important factors influencing the shape of migratory processes and integration strategies of women. On one hand, for a third country national single mother it is almost impossible to bring her children to Poland with her and settle in the country, therefore she is most likely to engage herself in circulatory or seasonal migration. On the other hand, short-term immigrants are far less likely to invest in improving their skills – both language and occupational – in the destination country, as their goal is to maximize their income and minimize the expenditures in Poland and spending time on learning Polish is seen as wasting energy which could be used for generating more money to take home. In the home country the remuneration is usually spent on consumption, minor investments (i.e. flat renovation) and children's education. Despite the fact that women leave their children in order to give them a better life and better future, they feel that they fail to fulfil the role of a 'good mother': "I am a bad mother. What kind of a mother leaves her child for so long? I haven't seen him for over a year, I miss him so much" (Swieta, 30, informal domestic worker from Ukraine). For some women dealing with the stress connected with loneliness and being far away from their children is very hard: "I pray a lot, most of the time. This lifts up my spirits, keeps me up, praying and some calming pills" (Nadia, 53, informal care worker from Ukraine).

The life plans and strategies of the asylum seekers in Poland differ a lot from those described above. For forced migrants such as asylum seekers Poland isn't usually the first choice destination country as indicated above. Therefore, women come unprepared, without the knowledge of the language and orientation on the labour market. For women who have applied for the refugee status there is a serious need for information as well as language and vocational courses taking into account women's specific needs such as flexible hours for single mothers. For female refugees migration is a struggle for survival. For many, it is a tragedy to learn, that after applying for the refugee status in Poland they cannot move to another country before their status is granted and if their application is rejected they face deportation. And staying in Poland means being completely on their own, without any relatives or friends to turn to for help. Therefore the asylum seekers enter the labour market very early upon arrival, without the documents they work in the informal sector of the economy as

domestic and care workers and after several years they usually succeed in finding employment better corresponding with their education and professional formation.

Different life strategies apply to women, who came to Poland together with their families with an attempt to settle in the country. Here Poland isn't treated as a transit country, but as a centre of life's interests of the immigrants and because of the well established ethnic diasporas the newcomers can learn from the experiences of people who had been in similar situation to theirs. Long-term labour migrants move to Poland in search of a better life. Even though they express the opinion, that basic knowledge of the Polish language is essential to find employment, female immigrants rarely invest time, money and energy in actually learning Polish:

"I've never studied Polish, I only learn from television, from my neighbours and most of all from my children. They laugh at me when they hear me speak Polish, keep correcting me" (Anahid from Armenia, 38, petty trader).

The issue of education of immigrants' children should be one of major concern, however it has never been publicly discussed. According to the Polish law, only children of those foreigners, who have legalized their stay on the long term basis by obtaining either the settlement permit or the long-term permit of stay in the EU countries, are eligible to free of charge access to Polish public secondary schools and university education<sup>5</sup>.

### *Brain waste and deskilling – female immigrants in the Polish labour market in the context of remuneration*

It was not surprising to find out that female immigrants in Poland work below their education and professional competences. Downward mobility and brain waste of immigrant labour force are a known and well described phenomena in migration studies (Morokvasic 1984, Kofman 1994, Phizacklea 2003). Nevertheless, the extent of occupational deskilling experienced by our informants and the limited use they make of their professional skills while working in Poland is alarming. Women who travel to Poland only as short-term labour migrants usually plan to perform physical work in the informal sector. In most cases, this multiple short-term migrations has been repeating over many years during which immigrants themselves have not improved their working conditions, amount of remuneration or obtained new skills. This could be a result of the lack of long-term planning with every emigration being perceived as the last one. Short-term, circulatory or rotation female migrants, due to the nature of their mobility are only able to find employment in the informal sector of the labour market, with the high vulnerability to work exploitation and limited negotiation potential. Therefore their remuneration are very low, below the minimum wage guar-

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<sup>5</sup> Public elementary and middle schools (gymnasiums) are free of charge irrespectively of the legal status of the foreigner.

anteed by the Polish Labour Code. Working hours and range of responsibilities are not fixed, especially for the domestic and care workers but also for those working in agriculture and manufacturing. According to our informants, the domestic and care workers are 'on duty' every day from early morning until late night and often don't have days off for several weeks in a row. What's more, even though, they are paid, though poorly, for being either a cleaner, or a personal care assistant of an elderly person, they are expected to perform all kinds of household duties. Yet, due to the fact that their employment isn't registered among other conditions, the vast majority of female immigrants don't fight to improve their working situation. Without working contract and work permission they don't see the grounds for protesting against the manner in which they are treated by their employers. Often employers themselves in order to make their unregistered employees even more vulnerable and less likely to negotiate the terms of employment.

With regard to the long-term female immigrants who came to Poland with an attempt to settle in the country, their situation on the labour market at the beginning of their stay is similar to those of the short-term circulatory immigrants. During the first period, which could last up to several years, women, despite their level of education perform jobs in the informal sector of the labour market, working usually as domestic and care workers. It isn't until they feel confident about their language skills that they start looking for formal, registered employment more adequate to their education and professional formation. Nevertheless, due to the long break in performing their learned professions, women need to either rebuild their qualifications or to obtain different ones – many immigrants from the former USSR residing in Poland used their language skills and found employment in the public sector – as Russian language teachers at schools, as interpreters and translators affiliated with the public offices. For female immigrants with university degrees who came to Poland as wives of Polish citizens or as asylum seekers the downward professional mobility could be the source of serious trauma and regrets connected with the decision to emigrate. A woman who used to work as an academic teacher in Crimea and currently is employed as a live-in domestic worker in Warsaw talks about it in the following manner:

"I regret that I quit my job and came to Poland, I regret it so badly. (...). I had good relations with my husband, we were very good together. We also had much more money than I have right now. I used to earn a lot of money at the university, our financial situation was really decent. I would do anything, anything so that my sons wouldn't have to emigrate from their own country and go through what I went through" (Oksana from Ukraine, 58 years old).

On the other hand, female immigrants without university education don't perceive emigration in terms of deskilling and professional downward mobility. Those of our informants with secondary education and professional formation as cooks, seamstresses complain rather about loneliness and long working hours connected with



being a labour immigrant. An extreme examples of brain waste is the case of an Ukrainian sex worker who, in her home country works as a college teacher. This case is discussed in details in the proceeding chapter.

### *Social security and access to medical care*

Another vital question was the matter of social security of the female immigrants in Poland. For obvious reasons, workers with no residence permits whose employment isn't registered are not eligible for social benefits and have no access to public medical care. Short-term migrants who are above all interested in cutting the expenditures and saving money don't buy private medical insurance and in case of an illness they go back to their home country. The situation becomes more serious when we analyse the situation of long-term female immigrants in the context of medical insurance on the one hand, and retirement allowance on the other. According to Polish Social Insurance Institution guide-book "the right to the old-age pension in the Polish pension scheme is acquired by women aged 60 years with at least 20-year contributory and non-contributory period and men aged 65 years with at least 25-year contributory and non-contributory period (non-contributory periods are: periods of maternity or parental leaves, period of registered unemployment, university studies). The old-age pension may be also acquired by a woman who has reached the age of 60 years and has completed at least 15-year contributory and non-contributory period and a man aged 65 years with 20-year contributory and non-contributory period, but this old-age pension is not subject to increase to the amount of minimum guaranteed old-age pension (old-age pension for persons with lower insurance periods)" (Social insurance... 2006: 31). In the year 1999 a new pension scheme was introduced. "(...) It is based on close correlation of benefit amount with the amount of actually paid contribution. (...) The old-age pension under new principles will be granted to persons who reach at least 60 years of age (women) and 65 years of age (men). No minimum insurance period has been fixed to be granted the old-age pension. However, strong correlation of pension amount with the contributory period creates a situation where insured persons are interested in working as long as possible to receive the most advantageous old-age pension. The retirement age fixed by the Law is the minimum age to acquire entitlements and not an obligatory moment to stop occupational work as it was previously. The quality changes in the system are also connected with the change in financing techniques, that is capital funding of a part of a contribution to the compulsory old-age pension insurance: from a total old-age pension contribution of 19.52% – 7.30% is transferred to the second, capital funded insurance pillar" (2006: 32).

Within the European Union member states there is a cooperation concerning the national social security schemes in relation to persons who have been working (were insured) in more than one Member State and claim old-age, disability or survivors'

benefits in this respect. According to the guide-lines of the Polish Social Insurance Institution, “the point is that a person who has worked in various Member States, or transferred his or her residence within EU from the territory of one State to that of another State should not be disadvantaged in this respect in relation to a person, who has worked or resided only in one Member State throughout his or her whole life” (Szybkie, Kucharczyk-Rok 2007: 3). These rules apply however only to the transfer of old-age pension capital within the EU member states, Poland hasn’t introduced any regulations concerning such transfer with other countries.

The case of female asylum seekers in Poland is very vital in the context of social security. With gaining the refugee status or the tolerated stay women gain the eligibility to numerous social benefits. Recognized refugees during the integration program have a social worker assigned to their case, according to our informants, in most situations their role is reduced to informing the refugees of the possible benefits they may apply for. On the one hand, the refugees are in the most vulnerable and sensitive group due to the circumstances of their forced emigration. They often suffer from deep psychological traumas and persecution-related diseases and are in need of financial help before they stand on their own feet. On the other hand, living on the state benefits for too long may prevent the asylum seekers from integrating on the labour market and lead to deskilling if the pause in professional work is too long.

After analysing the life stories of female immigrants in Poland one universal issue for this group may be identified – access to medical care. The public medical care system in Poland is only accessible to those, who are insured therefore excluding the undocumented immigrants and the ones with the residence permit but whose work isn’t registered. Nonetheless, women and especially those who face exploitation and severe working conditions are in a special need for easy, accessible and free of charge medical care. The example of Wiera, a visa overstayer shows the work related hazards women face while working in the foreign country without the insurance:

“I was working there for 6 months, taking care of this old lady, cleaning, cooking, doing the laundry. There was a washing machine there but they wouldn’t let me use it, so I washed in hands. Yyyy.. after six months I got a terrible rash on my hands, it hurt terribly, and this lady fired me because she said that this could be infectious and she doesn’t want me around her house. I didn’t have money for the doctor, and with this thing on my hand no one wanted to hire me. (...) through a friend I found a woman, who paid for my treatment and later I worked for her to pay her back” (Wiera from Ukraine, live-in domestic worker).

Foreign sex workers put themselves at the biggest risk due to the nature of their work. Our informants claimed to be aware of the hazards of their occupation, they willingly cooperated with the street workers from the Krakow’s NGO who provided them with condoms and necessary medicaments. In case of a medical emergency however, the sex workers explained that they would go back to their home country instead of seeking help in Poland, thanks to the geographical proximity (our informants were Ukrainians).

### *Self-evaluations of the migration project and future prospects*

In their narratives women often tried to assess their decision to emigrate. For the long-term migrants and refugees, for whom going back to their home country is often impossible, this issue seems to be of a greater concern than to the circulatory or short-term immigrants. For the latter, the centre of their life's interests remains in the sending country and they perceive their stays in Poland in terms of extreme work commuting rather than being on emigration. This is the case of course for those women who come from the neighbour countries and have the possibility to go back home once in a while or in case of an emergency. Paradoxically, being a short-term labour immigrant is a chance for these women to remain at their homes, close to their relatives in their home countries even though it also means drastic downward mobility, deskilling and in many cases brain waste. Nonetheless, to them, emigration is a sacrifice they have to make to prevent their children from having to become the lowest-wedged undocumented labour emigrants like them in the future.

In the narrations of women who chose to settle in Poland and were able to organize their lives here more time and attention is devoted to the decision to emigrate they made in the past. For women, it seems particularly difficult to part from their parents:

“Longing is tremendous. We were raised to look after our parents when they grow old, it's my duty as a daughter. That's what one should do...now everyday I wake up and pray for my parents to be healthy, to be happy. They're alone there (...) I can't imagine what will happen if they really need help, I can't split. So I think about going back to Armenia, but on the other hand I know that my children have a better future here, so I keep missing my parents” (Aida from Armenia, 39, academic teacher).

Asylum seekers who came to Poland often regret that they didn't apply for the refugee status in one of the 'old', better developed European countries. For them life in Poland is a constant struggle for survival, but unless the situation in their countries improves dramatically they can't think of going back. In case of many women the fact that during the many years of their stay their children have integrated well with the society is the strongest factor preventing them from return migration.

## 4. The integration strategies of the female migrants in Poland – across the most relevant cases

The aim of this chapter is to present the outcomes of the analysis of the impact of policies on different integration strategies of female immigrants in Poland. The scope of integration, understood as the feeling of belonging, is analysed in three major dimensions: socio-cultural; economic and legal. Six major patterns of integration stra-

ategies adopted by different categories of women migrants were identified in the narratives. These patterns are presented in the following order: first pattern of integration strategy refers to the group of undocumented, circulatory female migrants who perform unregistered work in the domestic and care sector and in sex industry, whose level of integration with society and labour market is minimal; second pattern refers to non-settlement long-term labour immigrants working informally whose stay is legalized on the grounds of the promise of employment, which isn't later registered; third pattern presents the strategy of integration of documented, long-term immigrants through the formal labour market; fourth refers to legalizing the stay and work on the grounds of self-employment practiced by labour immigrants from well-established ethnic diasporas who plan to settle in Poland; fifth type of integration strategies adopted by female immigrants is obtaining the residence and work permit on the basis of marrying a Polish citizen; and last, sixth pattern of integration strategy is legalizing the stay and work on the basis of proving Polish nationality and Polish roots. The aforementioned strategies are analysed and discussed by presenting concrete cases – the examples of migratory and integration patterns of female immigrants from the study based on their narratives.

#### *Basic economic integration – the case of unregistered circulatory female immigrants*

A very significant category among female immigrants in Poland are without a doubt the circulatory labour immigrants working informally in the domestic and care sector of the economy. Even though the degree of their integration with the society and labour market, understood in traditional terms of formal, registered employment is very limited, the undocumented and unregistered workers also adopt certain strategies in order to upgrade their situation in the labour market, increase their remuneration and enable returning to Poland. Professional mobility of short-term migrants without the residence and working permits, who stay in Poland officially as tourists, is by far seriously bounded by the limitations of the informal labour market. Even within just this segment women present a tendency to improve their working situation over the course of time. The case of Swieta, a Ukrainian domestic and care worker shows what strategies are implemented by short-term labour immigrants during the course of multiple migrations to Poland. Similar pattern of limited integration with the society and the labour market may be observed in the situation of sex industry workers in Poland. This would be illustrated by the case of Masha, a Ukrainian street prostitute and circulatory immigrant.

#### *Economic and legal barriers towards integration of informal domestic and care workers – the case of Swieta*

Swieta, now 30, was born in western Ukraine, in a town called Truskawiec, near the Polish border. This region, before the Second World War, was a part of the Polish

territory and many Ukrainians living in this area have Polish roots. Swieta studied in Lvov to become a radio-technician, later she had been working in a public enterprise until her first emigration. She got married early and gave birth to her only son at the age of 21. When her son was 3 her husband emigrated to Portugal in search of a job. While staying abroad he still partly supported his family in Ukraine, though Swieta was aware that he was involved in a relationship with another woman. When the husband came back, he showed no interest in their son and his financial help stopped completely. At this point Swieta, in search for a better life emigrated to the Czech Republic bringing her son along. However, when she realized, that she wasn't able to combine earning enough money to support the family with looking after her son, Swieta quit the job and went back to Ukraine after a year spent abroad. When the family's financial situation became dramatic, she was offered a job as a cleaner in Poland by another Ukrainian looking for people to complete the rotating team at the same job post in Warsaw. It was 2003, Swieta obtained a tourist visa and today claims not to have been bothered by the fact that she was going to be performing undocumented work. After the month spent working in severe conditions and cleaning houses after renovations (this occupation is notorious for being the toughest one among all domestic occupations) she went back to Ukraine. Several months later she was offered a full time job in Poland as a live-out babysitter at the family she worked for once during her first stay. Ever since she has been going back and forth between Poland and Ukraine, spending as much time in Poland as her tourist visa and the invitation allows her to. In Poland she's working informally as a babysitter and a domestic 'help' (cleaner, cook) in a Warsaw household. Her responsibilities aren't fixed, she "does everything that needs to be done in the household". After working for the same family for over a year, she was able to negotiate better working arrangements – namely time off during the weekends (unless an emergency situation arises) which she spends working part-time cleaning private houses. Swieta expresses a desire to settle back in Ukraine but right now the economic situation "isn't stable enough" for her. The informant considers her situation in Poland temporary and isn't looking for a different job.

Swieta doesn't consider Poland to be attractive enough in terms of labour market perspectives for her to settle there. She doesn't want to part with her son for a longer period of time, and she is aware of not being able to earn enough money to bring him here, not to mention legalizing the stay. Swieta describes her working situation in Poland as temporary, as a way to deal with poverty 'here and now'. She realizes that she is experiencing professional deskilling. She speaks Polish fluently but has no feeling of belonging in the society, doesn't have medical insurance in the country. This is however the case both for Poland and Ukraine. All her remuneration is spent on current consumption and flat renovation in Ukraine. She doesn't have any long-term plan. The only investment and long-term planning she's making is sending her son to a Po-

lish weekend school in Ukraine in order for him to study in Poland when he grows up. Swieta's future, like the future of many other immigrants, remains completely unprotected and insecure. She's still hoping to go back and settle in Ukraine "when things get better". Her family situation is also very common among other short-term female immigrants in Poland; ex-husband doesn't pay any allowances and Swieta is left with the double burden – caring for and supporting her son. During the periods spent by her in Poland, the child is left under the supervision of her mother.

As far as the social and cultural integration is concerned, Swieta doesn't participate in any sort of social, cultural or civic activities in Poland, because of the lack of time and energy. She doesn't have any Polish friends or acquaintances, shares a flat with other Ukrainian immigrants, in the suburbs far away from the centre of Warsaw. She wanted to legalize her stay and employment, but her employers decided that the procedure is too costly and complicated and they are too busy to take care of it. In fact, legal acts regulating the employment of foreigners in Poland focus, in the first place on the protection of the national labour force, by introducing complicated and lengthy procedures for obtaining a permit for legal work which constitute another effective barrier blocking access to the Polish labour market for many foreigners. The most important of these include: complicated procedure involved in employing a foreigner; the fact that the law allows the issuance of the work permit only for a short, strictly specified period of time, for a narrow group of professions; the high risk of refusal of the permit; the need to provide many documents indispensable for the submission of the application; a relatively large fee charged for the permit (200 EUR for every new permit; half of this price for prolongation)<sup>6</sup>.

The most recent law concerning employment of domestic and care workers, passed on 28<sup>th</sup> July 2005, took effect on 1<sup>st</sup> January 2006 by introducing a new mechanism to activate the unemployed by supporting paid domestic and care work performed in households. Paid domestic and care work is defined as performing, for the sake of the persons living in a household and sharing the responsibilities of maintaining it, tasks related to keeping this household or taking care of a person living in it. Under these regulations, the following job positions were created: persons taking care of children, the elderly or the disabled; cooks; housemaids; cleaning persons; chambermaids; housekeepers; footmen; gardeners; maintenance persons. Available so far are only estimated numbers of foreign women employed in this sector, according to the recent qualitative research conducted among female immigrants employed in private households in the Warsaw region, the majority of employees worked as housecleaners (34%), gardeners (11%), care person for elderly (11%) and in childcare (6%). Employers aren't however willing to register their domestic employee's work due to

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<sup>6</sup>The new regulations concerning facilitating the procedures of seasonal employment of the citizens of Ukraine, Belarus and Russia took effect in July 2007, therefore after the narratives were collected. On the possible influence of these regulations see: Chapter 5.

very high costs of employment and lengthy, complicated procedures of obtaining the work permit<sup>7</sup>.

Also, female immigrants are employed on temporary basis more often than Polish women. Women also prevail among other foreign workforce in the public sector of the labour market, employed mostly in education, as teachers, interpreters, translators, cultural mediators often combining this kind of work requiring high level of education and developed skills with part time work in the domestic and care sector of labour market. With regard to the bilateral agreement between Poland and Ukraine concerning exchange of seasonal workforce without the need to issue the working permits – it has so far proven ineffective due to the costs of employment. It is more cost-effective for both, the employer and the employee coming only for three months to perform unregistered work.

### *Limited integration of sex industry workers – the case of Masza*

Masza, 35, comes from eastern Ukraine. Her childhood was difficult, after her father died and mother became the only breadwinner her family experienced poverty. She got married at the early age of 16, only to “get out of home and hunger”. Masza emigrated from Ukraine for the first time when she was 23 and came to Poland to work as fruit picker in a farm. Her son was left under the supervision of her mother. She remembers this period as a very hard and difficult, due to hard work and small

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<sup>7</sup> The fact that high costs of employment lead to the growth of the informal and ‘grey’ sector of the labour market can only be understood when taking under consideration the way in which Polish society perceives the legitimacy and justification of paying taxes. Firstly, despite the fact that in Poland employment’s tax burden is not higher than the one in other European countries, for taxpayers – both employers and employees – the fiscal policy isn’t transparent enough. Secondly, Polish state-owned social insurance agencies responsible for administrating a significant part of the tax money, are perceived as extremely bureaucratized and inefficient, and the percentage of people living only on the state allowances is the highest in the European Union (approximately 12 million people – pensioners, registered unemployed – compared to 13 million people employed in the Polish economy) (Labour Market and Social Security, 2006 – <http://www.mpips.gov.pl/index.php?gid=475>). For many private entrepreneurs a strategy of reducing the costs of employment is transferring the obligation of paying significant costs of employment (health insurance, retirement contributions etc.) to the employee or to the state. Such transferring is very common and in practice means officially discharging an employee, who is then forced to become self-employed and hired back as a subcontractor. In a different scenario, an employee is officially registered as unemployed or as a student, in which case the state is responsible for covering the costs of the insurance, but is working in the unregistered manner.

In case of foreign workers, not only do the costs of employment increase considerably (each employer is obliged to pay a significant amount of money in order to be able to employ a foreigner) but also the procedures are very lengthy and complex. In many cases, the time spent on registering the employment of a foreigner exceeds the period for which the person comes to work in Poland. Therefore, registering the work of a foreigner for many employees or private household is irrational and inefficient.

remuneration. She was recruited to work in the sex industry by a woman, who noticed her crying over a high bill in a restaurant. Masza and her husband were already divorced at that point, she was abandoned after discovering that another woman was carrying his child. When Masza was left with no financial support from the father of the child (he didn't pay any allowances and for her it was the "matter of ambition" not to fight for it), she decided to pursue the circulatory, multiple migrations between her country and Poland. Since then she has been coming to Poland every year for the periods of one to three months. Masza doesn't have any precise future plans – she wants to stay in Poland but still feels responsible for her already grown-up son. She plans the future in the relation to the son and his future, her major ambition is to help him to finish university studies and find employment. Her work also seems to be problematic – it generates a lot of income, in comparison with other informal occupations, but it is dangerous and emotionally exhausting.

Masza started her immigration experience by working at the farm in Poland, in her narration it is described as a very difficult period. Work in the sex business enabled Masza to establish herself in Ukraine by investing the money from remittances in renovation of the flat or buying a car. Unlike most female immigrants however, Masza spends a lot of money she earns already in Poland, on the current needs, simple consumption and leisure activities. Several times during her narration Masza emphasized that that income from prostitution is very high, she also stressed the negative aspects of working in the sex industry, to her, the most serious one is shame and not being able to be open with her family about her occupation in Poland. Polish law doesn't recognize prostitution as an occupation, it isn't however penalized. Sex workers remain in a peculiar legal vacuum, between legality and illegality, we elaborate on this subject in the "Mapping of policies affecting female migrants and policy analysis" report (Slany, Krzystek et al 2006).

An important way of integrating with the society for Masza is through her relationships with men. This aspect is very important for Masza "men give the feeling of safety, security, and they satisfy my needs: material, psychological. I wish I had a partner". The relations with clients are transferred into a private life. "I would like to meet a man, here in Poland, maybe get married and move here for good. Like my cousin, she used to work on the street and married one of her clients, they're very happy". Masza is very proud of her language skills, she is quite fluent in Polish and is often asked by other women to be an interpreter. She admits, however, that she has problems with reading and writing in Polish since she has never studied the language.

Summarizing, the integration potential of unregistered immigrants and sex industry workers is seriously limited. On the other hand however, it is hard to judge, what is the cause and what is the result of this situation. Women, whose work and stay isn't registered have smaller or no opportunities whatsoever to integrate in any dimension, economic, socio-cultural or legal. Therefore we could conclude, that the



policies disabling or hindering legalization of stay and work such as lengthy and complicated procedures of registering employment of foreigners or impossibility to register prostitution as an occupation are the causes of the lack of integration. Nonetheless, it is also possible that such working arrangements are chosen by women whose aim is not to integrate and remain mobile, because integration is considered the waste of energy and remuneration. Therefore, my intuition is that we cannot put the same measure of expected integration to every female immigrant. This intuition is strengthened by the empirical evidence – only very few people benefited from the legal possibility to register work and stay of seasonal workers from Ukraine without costs and with easier procedures.

Even though, the reluctance of informal domestic and care workers and sex industry workers shouldn't be addressed by introducing specific integration policies in case immigrants do not want to integrate, it is essential to understand that this category of female immigrants possess special needs which should be addressed by the state policy. Due to high vulnerability of unregistered and undocumented workers, work hazards they face, there is a strong need to provide them with easily accessible medical help.

#### *Integration through the stabilization of residence rights – the case of Halyna*

Even though the majority of female immigrants in the domestic and care sector are undocumented workers, there exist a significant number of women migrants employed as personal care assistants, domestic helpers, cooks, cleaners or nannies, who have been able to legalize their stay in Poland on the grounds of the promise of employment issue by the employer. These are the women, who usually do not plan to settle in Poland because the centre of their life's interests remains in their home country, where their children and relatives live permanently. There exists however a group of long-term immigrants, who emigrated to Poland in order to improve the financial situation of their families in the sending countries. Unlike the informal domestic circulatory immigrants, these women don't need to care for young children anymore, however they are usually mothers of adolescents or students who need financial support. Because, female immigrants from the neighbouring countries in general observe the expiration dates of their visas, also the registered long-term immigrants adopt certain strategies to legalize their stay by obtaining the residence permit for a year. Due to the high costs of employment, the work of these migrants isn't registered, however they have a right to reside legally in Poland. After the permit expires, the prolongation is less complicated and is done in a similar way. Some women use the strategy of coming to Poland as contract workers recruited by a headhunter agency in their home country and later leaving the job to find a better paid one. The case of Halyna discussed below gives an insight into these strategies.

Halyna, a 53 years old teacher of German language from Ukraine came to Poland recruited in her home country by a Polish head-hunter agency seeking people with skills for which there is a large demand in the labour market. She was offered a job in a call-centre in Warsaw as a consultant and interpreter of German language. At that point she was a 50 years old, married woman with 2 adolescent children and had been working in a Ukrainian high school for 25 years. In order to assure her family decent living conditions she had 3 parallel jobs as a teacher and her working week was 80 hours long. She didn't hesitate at all and after consulting her choice with her family she decided to come to Poland for a year leaving her husband in charge of the household. In her narration Halyna draws a picture of a very modern family in which the division of household duties appears to be very equal in comparison to the families of other Ukrainian women in the sample. More importantly, it seems that in the decision making process concerning the emigration Halyna's choice played a major part.

Halyna's decision to emigrate is underlain by both strong pull and push factors. Amongst the pull factors, high remuneration and social security in Poland prevail but also the fact that Halyna obviously likes to experience living in another country and getting acquainted with a different culture. Several times during the interview she raised the issue of learning and positive impact of experiencing and observation of the life style in different, more developed country. Amongst the push factors the one that prevails is relative deprivation, this factor playing a significant role in the emigration decisions of many of the labour migrants. In case of Halyna's family, the relative deprivation means that the remuneration of her family are in their opinion highly inadequate to her and her husband's high level of education, their rich professional experience and the social prestige they have as teachers in their local community. Also, what emerges from the narration is the shift within the social stratification in Ukraine after gaining independence. Until the mid nineties, Halyna's family was in a good financial situation and with a high social position, her husband worked at the university, she was a well respected and recognized teacher. Since the transition a new class started emerging – a class of self-made business people who became very rich within a short period of time. In the interview Halyna indicated that she's been making all renovations at home so that her daughter wouldn't have the inferiority complex in front of her friends from well-off families.

Halyna came to Poland to work as a 'specialist' in her profession. She was offered good working conditions and her documents, the residence permit and work registration was arranged for her. She worked in the company which recruited her for several months until her contract wasn't prolonged because of having insufficient computer skills for the job. After that she experienced downward mobility in terms of her profession and labour market sector. She moved from the primary labour market with registered employment, medical insurance and job security to the informal

sector of domestic and care undocumented jobs. Nevertheless she seems to have adopted well to the new circumstances, she's used the residence permit to stay in Poland for the whole year even though her jobs as a cleaner aren't documented. Halyna enjoys living abroad and she has made plans for future, for the time remaining in Poland she is planning to take classes of Italian language before she emigrates further west, namely to Italy. Halyna seems to be quite aware of the functioning of the labour market and she is willing to invest in acquiring new skills to enlarge her chances in the new labour market.

Halyna's case shows a quite advanced degree of integration into the labour market. Even though she left the formal sector and registered employment she doesn't consider this to be downward mobility. She has already earned a right to old-age pension in Ukraine so therefore figuratively stating she 'doesn't have anything to lose'. For her the entire emigration is the 'added value'. Halyna describes her situation in Poland as "very good, comfortable". She was able to find and, what's even more important, keep several job posts. She isn't bothered by the fact, that her job isn't registered, in fact, she was shocked when she first found out how high the costs of employment are in Poland. She doesn't consider herself a beneficiary of the fiscal system and therefore is satisfied more with the undocumented working arrangements when the entire earnings are for her. Halyna explains, that she doesn't need medical insurance in Poland because, as a pensioner in Ukraine her medical insurance is paid for her there and every time when she needs to visit the doctor she can cross the border without a problem since she has the residence permit.

Halyna came to Poland as a 'specialist' to work in her field of expertise and due to her working contract she could easily obtain the residence permit and the company she worked for covered the costs of her work permit. Unlike other immigrants from Ukraine Halyna is a highly skilled teacher who didn't, at first, experience radical downward mobility both social and professional and by her own choice began working in the informal domestic sector. There are, however, many similarities between her situation and the situation of women mentioned above – Halyna is a middle aged woman, married with children whose economic situation dramatically deteriorated after the collapse of the Soviet Union. Her main goal is, as she puts it, to provide her children with high quality education and decent living conditions.

### *Integration through the public sector of labour market – the case of Zina*

The integration processes of female immigrants are the resultant of their migratory patterns and plans. Therefore the women who emigrated with the purpose to settle in Poland, or those who, after having lived in the country for several years decided to stay permanently, adopt different strategies of integration than the short-term and long-term non-settlement immigrants described in the chapters above. Such integration takes place mostly in the legal dimension more than in the economic and

social one, because it is adopted not by the labour immigrants who migrate in search for a better life. Strategy of integration through the legalization of stay and work and entering the labour market through the public sector is characteristic for the female asylum seekers and marriage migrants.

As it was stated several times before, Poland to the asylum seekers remains a country of coincidence, not of choice. The inexistence of migratory networks and refugees diasporas leaves the asylum seekers mostly to themselves. Women often struggle for many years before they are granted the refugee status, and after this time, many have lost the right to perform their education. The way of re-entering the formal labour market for them is taking advantage of their language skills. Poland receives asylum seekers mostly from Chechnya and Abkhazia, whose first language is in most cases Russian, therefore many recognized refugees and those whose procedures are pending work as Russian language teachers and later, as interpreters or translators in the public sector of the labour market. Teaching the native language is also a gateway for those immigrants who want to legalize their stay by obtaining the working permit, Polish law makes exception for employing the native speakers – employers are not obliged to apply for a special agreement to be able to hire a foreigner.

The case of Zina, an asylum seeker from Abkhazia and a single mother discussed below illustrates the tactics used by the women on their way to a certain extent of integration in the country of destination. The life story of Zina unfolds into four clear parts. Her happy childhood and youth in Georgia before the civil war. The times of war between Georgia and Abkhazia and the traumatic period after that; the struggle to leave the country and seek asylum in Poland and the terrible living conditions and severe post war trauma while waiting for the refugee status in Poland to be granted; her life after the refugee status in Poland was granted to her and her son. After surviving the war in Abkhazia, Zina found herself in a catastrophic situation, without any means of sustaining herself. The country was completely destroyed – in the region where she lived, tourism had been the major branch of economy, which collapsed during and after the war. Zina explains that living alone with a child became dangerous, she feared being raped or abused. Zina doesn't want to speak about this time, she only indirectly hints that her experiences were very traumatic, but explains that she has been trying to forget what happened for so long that she doesn't want to bring it into the surface again. When she realized that by staying in Abkhazia she's either risking being killed or starving to death, she and her female friend decide to leave to the Netherlands to seek asylum there. In order to do that she mobilized all her resources by organizing financial help from abroad, from Russia. In order to be able to seek asylum in Holland, she had to purchase a ticket for a direct plane to Amsterdam, however the day before the departure she was refused the visa without which she couldn't fly out of Russia. Zina and her friend, left indebted and without any financial means in a foreign country, made a dramatic decision – they took a train

to Brzesc, a boarder town between Poland and Belarus and asked for asylum in Poland.

After coming to Poland Zina experienced a long and difficult struggle for obtaining the refugee status. Most encumbering were the conditions she has been exposed to as asylum seeker in Poland while the asylum procedures were pending. She experienced these living conditions as entailing disrespect. In her narration Zina stresses that at some point of living in the centre she was having doubts concerning the decision to flee her country – emigration that has been undertaken in order to escape the trajectory of war brought her in another almost as serious trajectory, the trajectory of being an asylum seeker in Poland.

Zina lived in uncertainty for many years – she came to Poland in 1994 and after a year she received a rejection of her application for asylum while also failing to receive the permission for tolerated stay. After spending 11 months in a reception centre for refugees without proper psychological help or medical treatment, upon receiving the decision that her application for refugee status was rejected she was forced to leave the facility within 14 days and no further help whatsoever was granted to her in Poland after this time. After she left, with no money she sought help with Polish Humanitarian Action – an NGO through which she found a private supporter who covered the costs of her accommodation. At that time in order to support herself and her son she started working informally. Those times she describes as almost as dramatic as the post-war period, living in a foreign country as an undocumented foreigner, struggling for survival and without any kind of social security or any protection. All this time her son, very sick and misdiagnosed for his disease while in the reception centre, couldn't attend a Polish public high school due to his unrecognised status. Also through private founding Zina managed to send him to a private school, where his tuition fees were covered by private sponsors.

Zina used the right to appeal against this negative decision thus opening again the procedure of application for asylum. The procedures were pending for many years, finally Zina was recognized as a refugee in Poland after almost four years of struggle – in 1997. She didn't have a work permit and not being recognized as a refugee, she didn't have access to vocational trainings and language courses and no formal possibility to make good use of this time to obtain further skills or to make use of the skills she already possessed.

Finally, after a long court battle and a series of interviews carried out in order to verify the authenticity of her story, Zina and her son were recognized as asylum seekers in Poland. Zina, with help from her Polish friends found employment in a laboratory. Unfortunately, because of her allergy she had to leave, later she succeeded in finding employment at a hospital, but was expected to be on call during the nights. She had to quit because being a single parent, she had problems with the reconciliation of work and family duties. Finally, she changed the labour market sec-

tor and became a high school teacher of Russian language. The remuneration for this occupation isn't high in Poland but being a teacher grants eligibility to social benefits and flexible working hours. Due to this opportunity she is able to look after her son and earns additional salary by informally working as a private tutor. By that time her son already graduated from high school, and after some time began studies – Russian philology at the university. He still lives with his mother who describes him as a very traumatized and socially withdrawn person not being able to establish friendly contacts with his peers. He is a source of pride to his mother because of his language skills – he's writing poetry in Polish and has no foreign accent, this fact was stressed twice by the interviewee.

The biggest barrier according to the respondent is the insecurity of the position of asylum seekers in Poland. The process of obtaining a refugee status is very lengthy and the perspective of not obtaining it and fear of deportation very traumatic. Sometimes for months the asylum seekers are kept in reception centres where they are completely isolated from the society, they are not learning the language nor obtaining any other skills. The range of psychological help isn't sufficient. Once the status is granted, the 'integration programs' by which the refugees are covered aren't adequate to their needs – according to the refugees, state support – financial and social – lasts too short (only one year) and isn't sufficient. In the reception centres there's not enough staff and often no consideration of cultural, religious, ethnic or gender issues. In theory refugees are supposed to remain in the centres for not more than 4 months whilst this time often doubles or triples.

The experiences of Zina are very similar to that of Fatima, a refugee from Chechnya. Both of them fled conflicts in the Caucasian region and came to Poland as asylum seekers. For neither of them Poland was the country of the first choice. They ended up coming to Poland because of its geographical proximity and because they didn't need visas to enter the country. Both Fatima and Zina waited a long time before their refugees statuses were granted, they both are single mothers and do not want to talk about the men with whom they have their children – either husbands or partners or neither of the two. Female refugees point to the same major issue in terms of integration of the asylum seekers and refugees – not sufficient help from the state, both financial, social and psychological and long procedures of waiting and not being sure of the future.

It is important to stress here, that the recognized refugees in Poland are in a relatively good position in comparison with those asylum seekers who were only granted the 'temporary protection', namely the tolerated stay permit which isn't recognized internationally and doesn't place any integration responsibility on the state. We elaborate on this subject in the WP1 report:

“This [temporary protection] is an institution whose objective is to regulate the situation of a mass influx of foreigners to Poland, as a result of a specific situation in their country of origin.

(...) Analysing all the normative acts discussed here from the perspective of their potential influence on the situation of women it should be noted that their provisions do not distinguish directly the category of foreigners. There are many regulations concerning family unification, and special provisions refer also to uncared-for minors. In general, such an approach is not comprehensible in the case of the first two laws discussed: the Act of 13 September 2003 on Foreigners and the Act of 27 July 2002 on the terms and conditions of entry to and stay in the territory of the Republic of Poland of the citizens of the European Union Member States and members of their families. However, we must look negatively at the lack of specific regulations concerning this matter in the law of 13 September 2003 on granting protection to foreigners within the territory of the Republic of Poland, as the procedures and institutions laid down do not allow for the often specific situation of women seeking protection within the Republic of Poland, especially victims of rape and other forms of violence. The practice of including women in the application for the refugee status of their husband is a flagrant example. To quote article 14 it. 4 of the aforementioned law: «The party in the procedure of granting of refugee status is the foreigner who submits an application for refugee status», which raises serious controversies as a potential cause of restrictions of the rights of the spouse (therefore mostly the woman) in participation in the procedure of granting refugee status or tolerated stay» (Slany, Krzystek et al. 2006: 14).

What's more, the asylum seekers who were only granted the permission for tolerated stay not only cannot travel, they cannot apply for the asylum in any other state, because their procedures are considered to be still pending in Poland. Even though, there are no statistic available about the scope of this phenomenon, these asylum seekers often leave Poland through the informal path in search for their relatives in other EU member states.

Asylum seekers describe their situation in Poland as difficult. They usually regret coming to the country, nevertheless, the integration programs in Poland aren't very different to those in other European countries. What is different, is the extremely low proportion of the refugee statuses granted among all applications. Also the fact that there are no well established refugee diasporas in Poland hampers the integration of the refugees in the economic dimension. The language courses and vocational trainings which are currently offered to recognized refugees don't take the gender specifics into consideration. It is impossible for single mothers to combine childcare duties, professional work and participating in those courses, no day care centres for the refugees are being run or planned. Also, during the Polish language classes, learning in mixed gender groups cause difficulties in studying especially among Muslims.

#### *Integration through obtaining the long term residence permit by marrying a Polish citizen – the case of Olga*

Integration is a very complex process occurring in several dimensions and is a result of the combination of both systemic and individual conditions. The former, include the legal system, namely the migratory policies, legal practice, the dynamics of demand and supply on the labour market and the level of openness of the society just to name the few. Among the individual factors, the immigrant's will and readiness to

integrate is very important. One of the possible strategies of integration is legalization of stay on the grounds different than the promise of employment and later, on the basis of this temporary legalization, obtaining the work permit and, in the longer run, not only legal but also economic integration. Polish law concerning the legalization of stay and work is very clear about what conditions a foreigner has to meet in order to be granted the residence permit for a specified period of time (Slany, Krzystek et al. 2006). There are several possible ways of legalizing the stay, one is marrying a Polish citizen, another, enrolling at a university or college, which however allows registering employment only in the part time manner. The case of Olga's emigration from Ukraine to Poland is presented as an example of the strategy of legalizing the stay and work by marrying a Polish citizen.

Olga's migration history begin just like the emigration of many other female labour immigrants from Ukraine to Poland. Her marriage fell apart and her husband – an alcohol addict and domestic violence perpetrator was imprisoned. Olga, due to the structural changes in the labour market in Ukraine after the country gained independence ('wild' privatisation causing rocketing unemployment rates), lost employment and with it the financial means of sustaining herself. She came to Poland for the first time in 1997 after establishing a contact with the migratory network. For the first two years she worked as the seasonal worker in agriculture without employment registration. She would cross the border on the basis of the tourist visa and come back to Ukraine when it expired. She was a typical circulatory migrant until, after two years she was offered full-time employment as a live-in worker in the domestic and care sector – Olga became a personal care assistant of an elderly couple in Warsaw. However her employment still wasn't registered and she had to travel between Poland and Ukraine. Before the enlargement of the EU, such cross-boarder travels were significantly easier for the Ukrainian citizens. After her patients died, several years later Olga married their grandson and was able to obtain the residence permit for a specified period of time, and bring her two sons from Ukraine to Poland. Until her wedding, during the seven year period of her work in Poland, the boys remained under the supervision of Olga's mother. After two years of marriage Olga applied for a long-term residence of the EC member states which she obtained.

For Olga, emigrating was the last resort to escape the poverty she fell into after losing her job and losing support from her convict husband. She was left with two small children, aged 5 and 6 at the moment of her first journey to Poland. Olga had to leave her sons behind and even though she felt guilty she was determined to make her living as a seasonal worker in agriculture in Poland. After working as a circulatory migrant for 7 years, in 2002 Olga married a Polish citizen – a grandson of her former employers. During the interview she didn't say this directly, but she implied that one of the motivations to marry her husband was to obtain a residence permit



in Poland and bring her children from Ukraine. Thus, legalizing the stay by marrying a Polish citizen can be described as the integration strategy.

Even though Olga obtained the residence permit in Poland with which she is allowed to work legally, she wasn't able to find the employment providing her and her children with enough remuneration. Olga is currently hired as a full time cook in a school diner. Her working week is by 10% longer than the legally regulated 40 hours. Moreover, she doesn't have the stability of the employment, every year she is hired only for the duration of the school year – 10 months and after that, during the summer holidays she remains unemployed and without the insurance. Moreover, her employment contract is temporary and therefore it can be finished by the employee without legal consequences and prior notification.

Olga falls into the category of Ukrainian female immigrants in the domestic and care sector of the Polish economy in terms of the socio-demographic characteristics. She's over thirty years old, lost employment in Ukraine due to the transition and performs the role of the primary breadwinner and caregiver to her two children. She came to Poland to work as a seasonal worker in the agriculture informal sector in order to provide for her children. Despite the similarities with other Ukrainian immigrants, Olga's integration pattern is different. She married a Polish citizen thus enabling herself and her sons to obtain the residence permit and reside in Poland legally.

### *Self-employment as integration strategy – the case of Anahid*

One of the possible ways of obtaining or prolonging the residence and work permit in Poland is self-employment. This strategy of integration in the labour market is most often practiced by the labour immigrants who come to Poland with an attempt to settle in the country. These mostly are representatives of two nationalities – Armenians and Vietnamese – but also citizens of the Republic of India, China and other, mostly Asian countries. Female immigrants from this area rarely migrate alone and independently, rather as part of family migrations. Among the push factors for these migratory group, the search for a better life could be distinguished as the prevailing one. Well established ethnic diasporas of Armenians and Vietnamese nationals are the major pull factors responsible for choosing Poland as a country of destination. An important characteristic of this immigration group in Poland is the high rate of undocumented migrants among them, both of first and second generation. There have been attempts made by the Polish government to stabilize the residence rights of this group – namely the Abolition Laws of 2003 and of 2007. The results and consequences of implementing this legal acts haven't been examined enough, though judging by the small number of people who legalized their stay after the first abolition in 2003 (over 300 people among 2700 applicants, mostly the citizens of Armenia and Vietnam), it cannot be considered successful (Dąbkowski 2007). Many

among those immigrants who obtained the residence permit for the specified period of time which, in case of abolition beneficiaries is being issued for the period of one year, in order to remain documented used the legal possibility to start their own business. Self-employment is often used by immigrants, who are planning a longer stay in Poland due to the fact that self-employment is easier and less costly from the procedural point of view than getting employed by someone else. The case of Anahid from Armenia analysed below is an example of an integration process through self-employment in the legal context of abolition.

Anahid, today 42, came to Poland with her husband and a nine-year-old son in 1995 as a labour immigrant, in a search for a better life. She chose Poland for a destination country, counting on the help from the relatives in Armenian Diaspora in Krakow in settling in and finding employment. Anahid is a skilled worker with secondary education and had been working professionally in a state-owned enterprise in Armenia prior to emigration. For the first eight years of her stay in Poland, both Anahid's and her husband's stay was undocumented, also, during the entire time they worked informally in different marketplaces running small stands with cloths and electronics. After three years of living in Poland Anahid gave birth to a second son. In 2003 after having lived in Poland as an undocumented foreigner for 8 years, Anahid and her husband finally legalized their stay on the grounds of the legal Abolition Act. Upon obtaining the residence permit for a specified period of time issued for one year they were able to register their own family business – the sales stand in the marketplace. Since then, every year the residence permit needs to be renewed, which is a lengthy procedure. Their business is being regularly controlled and owners have to prove that they are operating according to the interest of Polish labour market, namely creating the job posts for Poles. Every year Anahid, under whose name the company is registered, officially employs two Polish citizens who's work is fictional, but nonetheless her company is obliged to cover the costs of their employment and pay taxes for the work which isn't *de facto* performed. This is a way of 'going around' the legal regulations, but according to Anahid, also the only possibility of prolonging the legal functioning of the company run by foreigners: "Every year could be the last one, I'm so afraid every time the controller comes, if they shut us down we lose the documents and become illegal again".

The risk of losing the residence permit is indeed very serious in case of Anahid and her husband, their permits are only issued for one year and are entirely dependant on the permission to prolong the functioning of their company. The fear of losing the residence permit is very real, one of Anahid's sons, after turning eighteen, lost his temporary residence permit and for three years already has been undocumented in Poland. Despite the fact that he is studying in a private school, he cannot legalize his stay after having once lost his residence rights. On the other hand, he cannot leave Poland because Armenian Embassy won't issue a passport to a male citizen who

didn't serve the obligatory 2-year period in the military in Armenia. In her narration Anahid many times raised an issue of the tuition fee in Polish public schools. As a foreigner with the temporary residence permit (the residence permit for a specified period of time) she is obliged to cover the costs of tuition at the public high school their children attended. The need of free-of-charge public education of the children of foreigners is very crucial and should be one of the policy recommendations.

To Anahid the question of cultural and social integration doesn't seem to be one of primary interest. In her current situation of constant fear of becoming undocumented and losing employment she is too concentrated on making ends meet and solving her son's legal problems than on getting acquainted with Polish language and culture. After having lived in Poland for twelve years her language skills are very limited and she hasn't established any social contacts with Poles. Her life is concentrated on work and her family. Her friends and acquaintances are members of Armenian Diaspora in Krakow. Anahid isn't thinking about returning to Armenia because her sons are well integrated in Poland but is afraid of her future. She is well aware of the fact, that her future is unprotected and she isn't eligible for social benefits neither in Poland nor in Armenia. Nevertheless, she dreams of buying an apartment in Krakow but realizes that her chances for mortgage are rather scarce.

### *Integration through proving Polish origins – the case of Irmina*

In September 2007, a new law was introduced with reference to the immigration of Polish nationals from the former USSR. The 'Pole's Card' program is designed to facilitate establishing and maintaining the contacts with Polish language and nationality of the citizens of the former USSR having Polish nationality. This program however doesn't include granting the Polish nationals with working permit in Poland (Hut 2007). Before, the law concerning immigration of persons with Polish nationality was entirely regulated by the "Law of 13 September 2003 on Foreigners" (for more details see Slany, Krzystek et al. 2006).

Obtaining the permit to settle was also adopted as an integration strategy by the descents of Polish nationals, the case of a student from Ukraine is an example of such strategy. Irmina left Ukraine to study in Poland in 1998. She arrived with a visa issued to her on the grounds of her prior enrolment at the university in Krakow. On the grounds of the long-term student visa, Irmina was able to obtain the temporary residence permit and finally, after several years, the settlement permit on the grounds of her Polish nationality. She considers herself Polish, not Ukrainian, despite the fact that she was born and grew up in Ukraine and her mother is Ukrainian. Irmina isn't thinking about naturalization, she reasons that possessing the settlement permit gives her the same right as Polish citizens except of political rights and a Polish passport. It is interesting to note here that female immigrants in general are not interested in

obtaining Polish citizenship, once they have obtained the settlement permit or the long term EC members countries' residence permit.

Since the second year of her stay in Poland Irmina couldn't count on financial support from home, she had to become financially independent. She found an informal, non-registered work in the gastronomy sector. Additionally, after her language skills improved she also worked as a translator in a part-time manner. After three years she obtained the settlement permit and found better paid employment in a restaurant in Krakow. For five years her work there was unregistered, last year, she signed a contract for part-time job while in reality she works in a full-time manner. Irmina doesn't perceive these arrangements in terms of exploitation, she considers herself relatively lucky, because many of her work colleagues don't have any contracts signed with the employer. It's been nine years since Irmina begin her studies, but because of having have to work and not receiving financial aid from the university she hasn't graduated yet. Lately she became seriously worried that she may not graduate at all, and her future professional plans were connected with her degree – international relations. Even though Irmina believes herself to be a multi-skilled person, she isn't confident of her position in the labour market which results in experiencing deskilling. Several years ago she worked as a translator, currently, she is a waitress. Irmina claims to be afraid to search for a more "serious job", and is waiting to finish her studies before she starts looking. At the moment, she is covered by the medical care program at work and isn't thinking about securing the future yet. With regard of her future plans, Irmina, who's planning to start a family is afraid that she would not be able to reconcile work and family life. Also she fears discrimination on the basis of her gender and citizenship, however she emphasized the fact that since her legal status has been regulated by the settlement permit, she receives better treatment at the public offices.

Irmina isn't planning to return to her country of origin, last year she got engaged to a Polish citizen and feels "well integrated" with the society. She is especially proud of her Polish language skills, and doesn't speak Ukrainian in public if she can avoid it.

"When I'm in a public space, and one of my Russian or Ukrainian friends calls me on my mobile, I don't answer it. I try not to speak Russian or Ukrainian when I'm among people who don't know me, because I don't want people to think I'm a "prostitute".

– according to Irmina, it is a widespread negative stereotype referring to all Russian speaking women in Poland.

In overall, Irmina is satisfied with her life in Poland. She feels secure about her near future, is able to support herself and to send some remittances back home to help her family left in Ukraine. She seems to be close with her mother and her sister who live in her home country, but doesn't complain about loneliness. On the contrary, Irma talks a lot about her Polish friends, from school and from work, who give

her “emotional support” she doesn’t receive from her family. She also feels well received by her partner’s family, however at first she was treated with a reserve because of not being Polish. To Irmina, the fact that she was able to legalize her stay prior to getting married to her partner, is very important:

“I really don’t want anyone, and especially him [her partner – K.K] to think I’m marrying him for papers. I know people who’ve done something like this, I don’t want to be one of them. I wanted this situation to be clear”.

Even though Irmina emphasizes her Polish “identity”, when we talk about her future plans, it is important to her to raise her children with the knowledge of Ukrainian culture and language.

In spite of the unquestionable feeling of belonging, excellent language skills and significant integration in both legal and socio-cultural level, Irmina still experiences occupational downward mobility and isn’t using all her professional skills. It seems that she isn’t able to overcome the obstacles to enter the primary labour market, because of the negative ethnic stereotypes and prejudices against immigrants from the former Soviet Union countries, and women in particular. For this reason and the problems with legalization of work and stay, she wouldn’t recommend migration to Poland to any of her relatives or acquaintances from Ukraine. Irmina talks a lot about severe working conditions and exploitation which are a part of the everyday experiences of all immigrants. Irmina complains about having to work long at night every day, which excludes her from many social activities and spending time with her Polish friends who usually have “serious day jobs”.

Prejudices against women from behind the Eastern boarder seem to be serious barriers to social and economic integration. Establishing social contacts, finding a life partner and being taken seriously by prospective employers are all very important steps to become well and successfully integrated in a given society. Also the sense of social acceptance cannot be underestimated as a factor facilitating building of the feeling of belonging.

## 5. The impact of policies on the integration processes of female immigrants

In order to summarize the outcomes of the study concerning the assessment of the impact of policies on the integration and migration patterns and processes, the findings are divided into eight categories, each with regard to a relevant policy field.

*Policies for integration into formal and informal sectors of the labour market, including the domestic and care sector*

There exist very few laws and policies in Poland which directly aim at integration of the immigrants into Polish labour market (and the existing ones are only directed to selected categories of migrants). There are however several laws connected with immigration which address different issues, but in an indirect way strongly influence the integration processes of immigrants in Poland. It is also essential to stress here that the most important factor influencing the integration processes of female immigrants is the absence of policies aiming directly at integration into the labour market in Poland, not only of women but of immigrants in general. "However, since 2004, due to the implementation in the national context of EU employment policies, programs such as INTEGRA and EQUAL, aimed at the integration of migrants in the labour market, it seems that the projects realized within the framework of this initiative offer the chance to develop migrant integration policy. First of all, they give the opportunity to overcome financial limitations that inhibit many activities. Secondly, they allow for cooperation with more experienced countries that faced the challenge of migration much earlier. Finally, the programs are run jointly by several governmental, non-governmental and academic institutions. This can result in the launching of cooperative initiatives or the integration of immigrants" (Slany, Krzystek et al. 2006: 14). One program initiated by the LaStrada Poland – Foundation against Trafficking in Women aimed at social and vocational reintegration of female victims of trafficking was directed to Polish citizens who returned to their home country.

For the purpose of the clarity of this analysis, three categories of immigrants were selected to show the impact of legal regulations on their situation. These groups are: recognized refugees (there are no policies for integration into the labour market addressing the asylum seekers granted temporary protection in the Republic of Poland); repatriates and Polish nationals citizens of foreign states; labour immigrants.

*Refugees*

"According the regulations concerning the integration of refugees, a refugee may submit an application for welfare in the office of the district governor depending on place of residence within 14 days of the date of acquisition of refugee status. This welfare is granted from the month when the application was submitted. It comprises monetary living allowances, an allowance for covering the costs of Polish language courses, payment of a health insurance premium and specialist counselling (social worker). The maximum duration of the integration program is one year. The refugee must register in the place of residence and in the local employment agency, and actively search for a job. The foreigner is obliged to attend Polish language courses (if there is such a need) and is obliged to co-operate with and contact the supervisor of the program" (Slany, Krzystek et al. 2006: 14).

Female refugees themselves talk about the integration programs critically. In opinion of our informants, a twelve months period isn't enough to prepare a refugee, and especially a single mother to stand on their own feet. It is especially the case of Muslim women, prevailing within the group of asylum seekers in Poland, who often haven't worked professionally in their home countries. Until 2004, when Poland joined European Union and the INTEGRA and EQUAL programs were implemented, there were no professional affirmative actions directed at the refugees. Today, several Polish NGOs (Polish Red Cross, Polish Humanitarian Action, Human Rights Centre, Proxenia) offer programs aiming at supporting social and vocational integration of asylum seekers, there aren't however any programs directed at women-immigrants or taking into consideration gender related issues of migration.

Therefore, the processes of integration of female refugees are in some cases being hampered by the existing regulations. On one hand, refugees are encouraged to settle in regions where the costs of living are smaller than in large cities and where they could receive help in finding free accommodation. On the other hand however, in the small towns or villages there are no vocational trainings and language courses offered for them and chances of finding employment are much smaller than in the large cities. Women complained also about the timetables of the language courses and vocational trainings in which they couldn't participate because they had to take care of their children. Another problem emerging from the narratives is the dependence of the refugees and asylum seekers granted temporary protection on social welfare and state allowances. Our informants, from the beginning of the integration programs were strongly encouraged to apply for all different forms of financial help from the state, which for many refugees becomes a strategy of survival in Poland, slowing down professional activity and de-motivating in improving skills. Lack of long-term plans for the integration of the refugees results in rising and often expressed frustration, discontent and gradual exclusion of this group from active participation in the Polish society.

### *Repatriates*

Repatriates may apply for financial allowances for themselves and their families and assistance with covering the costs of learning Polish and finding employment. The government is obliged to support local communities admitting repatriates. In fact, the repatriates are the only group to which direct policies concerning the integration into the labour market are addressed. These policies include encouraging employers to employ repatriates by offering them contracts with local municipalities according to which the municipality refunds costs of employment of a repatriate, covers the costs of arranging the workplace and if needed the costs of professional trainings. The condition for receiving the reimbursement of the costs is employment of the repatriate in question in a full time manner for the period of 48 months. The maximum sum

of reimbursement amounts up the three-months remuneration. In spite of the well developed professional activation tools, they haven't facilitated the process of integration of repatriates with the labour market, mostly due to the absence of an information campaign spreading this knowledge between employers and lack of trainings for the local community officers concerning this mechanisms and procedures.

### *Labour immigrants*

The question of the impact of the policies for integration into the labour market on the situation labour immigrants is very complex. On the one hand, there are no regulations aiming at the integration of this category of immigrants, there were however attempts to address the issue of mass migration of short-term undocumented foreign workforce from behind the eastern boarder of Poland. The most recent development, introduced in July 2007, is the law facilitating the procedures of employment of the citizens of Ukraine, Belarus and Russian Federation for no longer than 3 months during the periods of 6 months in all sectors of economy – short-term immigrants from this countries wouldn't need the work permit. Special visas with the permission to work would be issued in the countries of origin on the grounds of the promise of employment produced by Polish employers, who are not obliged to obtain the special permission to hire a foreigner. The costs of employing the foreigners are also lower since July 2007. It is however too soon to estimate how these new policies will influence integration of female immigrants, the first available data for the first months of functioning of this new law show that almost 4000 promises to employ a foreign worker were issued, among which only 31% to women. The possibility of employing foreign seasonal workers benefited mostly employers from following sectors: agriculture, construction industry, heavy industry and transport. It seems that in the feminised informal sector of the labour market – the domestic and care sector once again, the reform of the law didn't bring formalization and regularization of employment.

Earlier agreements concerning the possibility of employing foreign workers from Ukraine, Belarus and Russia in the sector of agriculture introduced last year didn't lead to mass registration of employment, on the contrary, experts believe, that the figures of those immigrants who benefited from this legal possibility of registering employment is insignificant. Our informants explained that for short-term labour immigrants it is the matter of rational choice – between receiving a higher salary as an unregistered worker than being registered and being paid less and having to cover the costs of employment, because many employers are not willing to do so when hiring immigrants. In case of people working outside of the agriculture sector also the average time spent on completing the procedures necessary to obtain the work permit by an immigrant (4–6 months) was longer than the period of work of this person. Another factor hampering the legalization of employment of circulatory, short-term immigrants was the fact that controls of performing unregistered work



happen very rarely in Poland and never in private households were most female immigrants work.

### *Policies concerning domestic and care work*

“Poland is currently at the very beginning of the process of creating policies regulating domestic and care work. A new law took effect on January 1 2006, introducing a new mechanism to activate the unemployed by supporting paid domestic and care work performed in households (...) *Paid domestic and care work* is defined as performing, for the sake of the persons living in a household and sharing the responsibilities of maintaining it, tasks related to keeping this household or taking care of a person living in it. Under these regulations, the following job positions were created: persons taking care of children; the elderly or the disabled; cooks; housemaids; cleaning persons; chambermaids; housekeepers; footmen; gardeners; maintenance persons. Unfortunately, no data is available on how these modifications have affected the situation of domestic and care workers within the labour market” (Slany, Krzystek et al.: 36).

Among our informants, several women, on the basis of this law, were able to legalize their stay in Poland, on the grounds of the promise of employment issued by their employers. As it was explained in chapter 4.2 of this report, this promise serves as a tool of obtaining the residence permit for the specified period of time, work itself isn't later registered because of the high costs of employment. In some cases, female immigrants were able to document their stay in Poland and register their employment in the domestic and care sector, it is however very rare due to financial reasons – a registered employee costs his or her employer 100% more than the salary after taxation. On the other hand, the status quo between Polish employers and foreign employees concerning not demanding registering of the employment leads to exploitation and accepting payment much below the minimum salary in the Polish economy. The absence of the debate concerning the problem of very high demand for domestic and care workers followed by the lack of systemic solutions, especially in the context of the social security, only strengthens the perception of the domestic and care sector as the informal sector of the Polish labour market.

### *Policies for skill enhancement (including language skills) and skill recognition*

The issue of policies concerning the language skills was initially analysed in the chapter 5.1 in the context of the integration into the labour market. It is however important to address this question separately, as acquiring language skills is a significant step towards integration. The factor significantly hindering integration in this dimension seems to be the perception of Poland as still only a country of transit. This perception is especially strong among the asylum seekers, who, counting on being able to travel further West, do not focus on learning Polish during the initial period of their stay while staying at the reception centres. The overwhelming majority of the asylum seekers are not granted the 'refugee status' and therefore are not offered

the Polish language classes. Additionally, these people, often living in fear of deportation, when granted the permission of tolerated stay, in the temporary here-and-now situation are focused rather on quick economic integration than on investing time and effort in learning the language of the country in which they don't see their future. These temporary situations often last for many years, which leads to occupational deskilling and results in diminishing the chances for real integration.

Concerning the skills recognition, in December 2003 Poland ratified the Council of Europe/UNESCO *Convention on the recognition of qualifications concerning higher education in the European region* signed in Lisbon on 11<sup>th</sup> April 1997. The Lisbon Recognition Convention came into force in Poland on the 1<sup>st</sup> May 2004. Poland is still a party to the bilateral agreements on recognition for academic purposes with Ukraine and Belarus. Apart from this, the country was bound by some bilateral and international agreements on recognition with countries from outside of the European Union which have been renounced at the moment of the accession to the EU. It is too early to assess the impact of this new European laws on the integration processes of female immigrants, however, it seems that the processes of brain waste and deskilling in the context of migrations of women are linked rather to the systemic conditions of the labour market and policies concerning the issues of legalization of stay and work at the territory of Poland than to the policies concerning academic recognition. On the other hand, very recently a new law project was prepared by the Ministry of Healthcare introducing payable obligatory exams of the knowledge of Polish language for the third country nationals interested in working in Polish health service. While according to the already existing law from July 2007, European Union citizens are only obliged to provide the written statement confirming their knowledge of the language.

### *Policies for stabilizing residence rights, including issues of legalisation*

The only policy aiming at the stabilization of residence rights in Poland was the act of Abolition of undocumented immigrants introduced in 2003. In 2007, 2 months ago another act of Abolition of undocumented immigrants was passed, however, today we are only able to provide the analysis of the impact of the abolition of 2003. Today, the bill from 2003 is perceived as controversial. On the one hand, ineffective as a tool thought to stabilize the residence rights of undocumented immigrants already living in Poland, according to some experts, it has also acted as a strong pull factor for immigrants who came to Poland after 2003 (Dąbrowski 2007). Judging by the small number of immigrants who benefited from the abolition it cannot be proclaimed a success. The responsibility for the failure of this act is ascribed to the fear of the major undocumented groups of immigrants in Poland – the Vietnamese and Armenians of being registered as felons and deported, and the lack of information campaign; most immigrants simply didn't know about this possibility. Also, the re-

quirements the immigrants had to meet in order to legalize their stay, which were: continuous stay in Poland since 1997; promise of employment issued by the employer; the lease for an apartment and significant financial resources were considered to be very strict and almost impossible to fulfil. The long-term impact of the 2003's Abolition act on the situation of undocumented immigrants has also proven to be negative. Those who legalized their stay in 2003 obtained the residence permits for the specified period of time of one year. After the expiration of this permit many beneficiaries were not able to prolong it. Those immigrants who applied for the legalization of the stay in 2003 and didn't meet the requirements, or those who lost their residence permit after they legalized their stay in 2003 are not eligible for applying in 2007. There were however several foreigners who, like our informant Anahid, succeeded in obtaining the residence permit and were able to maintain it, though not without significant effort.

### *Policies combating trafficking and improving integration of the victims of trafficking*

For the purposes of this study we were not able to access foreign victims of trafficking who reside in Poland. This particular category among female immigrants experiences particular trauma and is most vulnerable therefore obtaining a life-story from such a person is extremely difficult. We give a more detailed account on legal and political context of the phenomenon of human trafficking in Poland in the report "Mapping of policies and policy analysis. The Polish case" (Slany, Krzystek et al. 2006: 24 see also this book Krzaklewska, Patetka).

It is commonly acknowledged that in Poland, among other countries, the problem of trafficking in people is very serious, nevertheless it isn't taken seriously enough. The scale of this phenomenon is unknown. Some statistics may be found in the sending countries – according to the data collected by IOM in Kiev, Poland, after Turkey and Russia, is the country where most Ukrainian women are being trafficked into. Almost 300 citizens of Ukraine – victims of trafficking to Poland – registered in the reintegration program designed for them by the IOM during 18 months of it functioning. On the other hand, according to estimates of the La Strada Foundation, up to 10,000 women are trafficked yearly out of Poland to the West, and approximately 60 percent of 2,500 foreign sex workers in Poland have been trafficked in ([www.strada.org.pl](http://www.strada.org.pl)). Trafficked in women "are brought in across borders like other migrants, with false passports, on tourist visas, or through smuggling. Minors are transported with manipulated passports; one passport may be re-used by several other victims; passports from visa-free countries such as Poland are used for women from a visa-requiring country of origin such as Russia. All end up in an illegal situation and most do not understand their status. Once within Polish borders, they are transported to another country or between cities within the territory of Poland. Once within the EU borders, they are often transported between countries in order to

maintain a legal visa, staying three months in each country. At this point they no longer have independent freedom of movement” (Slany, Krzystek et al. 2006: 25).

“The migration and deportation laws in Poland often work to the advantage of traffickers. Firstly, provision of appropriate travel documents, such as passports, is very difficult in many EU countries. High bribes or the use of criminal networks are common methods of obtaining papers. Secondly, traffickers keep all travel documents of their recruits as a method of control and orchestrate all transportation. Thirdly, transportation of recruits across borders is relatively risk-free due to a lack of specific laws and techniques to halt trafficking. (...) Traffickers may even threaten to turn their victims in to the police and have them deported. Deportation practices in Poland make incrimination of traffickers difficult. Illegal migrants must be repatriated within forty-eight hours of the time of arrest, during which time they are kept in prison-like detention centers. In most cases, police do not assume that an illegal migrant prostitute may be a victim of trafficking. A hectic deportation process, language barriers and the prevalent negative attitude to prostitution prevent attempts to understand her situation. She is usually not aware that she has may recourse to aid or to indictment of her trafficker. Instead, she is immediately repatriated. Upon arrival in her home country, without money and documents, a trafficker may be waiting at the bus or train terminal to return her back into the trade. If a woman is recognized as a victim of trafficking, Polish law makes it uncomfortable for her to testify. Victims of trafficking could obtain a temporary-stay visa for the duration of the court proceedings but it not provided with safe shelter, allowance for living expenses, work permit or protection from traffickers. The hearings force her to relive the most traumatic parts of her experience and give her little reward for her co-operation. Instead, the trafficked persons may chose to produce written testimony and return home. Written testimony is much less effective in court than oral testimony. Without key witnesses, it is difficult to convict traffickers. Unfortunately, the Polish government is not willing to spend money to cover the living expenses of foreign victims of trafficking during their court proceedings in Poland. Poland's lack of a serious will to fight trafficking allows it to continue and grow. The phenomenon of trafficking is linked to issues of women's rights and the unequal status of women in society. Although gender inequalities do not themselves produce trafficking, it is difficult to imagine how trafficking could function without them. Unfortunately, public opinion in Poland ignores the reality of prostitution's links with trafficking and relegates it to the margins of society” (Slany, Krzystek et al. 2006: 24).

### *Policies for improving the situation of sex industry workers*

“Prostitution is not punishable in Poland, although this does not mean that it is legal. Subject to punishment provided by the Polish Penal Code are persons committing crimes connected with prostitution, such as **procurement** – or inciting another person to prostitution (Art. 204 § 1 of the Penal Code); *kuplerstwo* – deliberately facilitating another person's prostitution in order to obtain material benefit (Art. 204 § 1) and *sutenerstwo* – obtaining material benefits from another person's prostitution – Art. 204 § 2 (1997). In practice, prostitution isn't recognized as occupation and therefore it cannot be registered, houses of prostitution are banned, the stress is put on prevention and education ([www.strada.org.pl](http://www.strada.org.pl)). (...) Although brothels are illegal in Poland, escort agencies and massage parlours are numerous. The problem is that the positions of “masseuse” or “escort lady”, although they mean in practice the same as sex worker, require a work permit, and the majority of women – immigrants with a tourist visa – do not have the legal grounds to acquire it” (Slany, Krzystek et al. 2006: 36).

Due to the fact, that work in the sex industry cannot be registered, sex workers are not subject to labour code thus do not have health or pension insurance. The need for free access to medical care is the most essential. Due to occupation-related hazards prostitutes put themselves at serious risks. Because of the ambiguous legal nature of this profession, burden of negative stereotypes and moral stigma ascribed to it in Poland, foreign sex worker are the least likely to integrate into either the labour market or the society in Poland. On the other hand, this group among the wide and complex category of female immigrants is the most vulnerable next to the victims of trafficking and therefore requires the most attention in terms of satisfying the most urgent needs – access to public, free-of-charge medical treatment.

### *Policies for improving civic participation*

The Constitution of the Republic of Poland guarantees everyone the right to associate; it prohibits only such associations whose objective or activity is contrary to the Constitution.

“It is confirmed by Art. 4 of the Law of 7 April 1989 on Associations (...) providing that foreigners possessing a place of residence within the territory of the Republic of Poland may form associations, according to the regulations binding for Polish citizens”. There are certain controversies as to whether the place of residence means permanent or temporary residence. These are, however, usually settled in favour of immigrants, as one of the approaches says that two months’ residence is a period long enough for entitlement to establish an association, while another, based on the Civil Code, assumes that the place of residence of a person is the location in which this person is currently staying with the intention to settle permanently. Therefore, immigrants have rather free access to the establishing of associations. (...) Foreigners may, therefore, establish both so called ordinary associations (minimum 3 members, legal character, without the possibility of performing economic activity) and register associations (minimum 15 members, legal character, possibility of practicing economic activity). It is worth highlighting that complicated and lengthy procedures of registration of associations in the register court may pose a certain difficulty for immigrants, especially considering the fact that the only language of the proceedings concerning registration is Polish. Establishing ordinary associations is much more simplified (Slany, Krzystek et al. 2006: 18).

Judging from the experiences of our informants, the degree of civic involvement depended strongly on the migratory pattern of a given migrant. Circulatory, short-term immigrants, and undocumented workers employed in the informal sector of the labour market are much less likely to engage in civic, social and cultural initiatives than the long-term settlement immigrants. In fact, only the members of two immigrant groups in Poland – Vietnamese and Armenians have established functioning associations, other immigrant groups don’t have any sort of representation in Poland. It may reflect their strategies and plans connected with migration, migrants who are not attempting to settle in the given country and come as short-term labour immigrants are interested in saving their energy to cumulate more savings rather than get involved in time consuming civic activities. Many women also expressed the opinion

that being in Poland temporarily there is “no use” for them to become members of any organization or institution because they are too occupied by their work. It is important to note here that low civic participation usually is a factor strongly hampering integration of immigrants with the society but it may also reflect the relatively low civic participation among Polish nationals.